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LAWS OF BARBADOS

FOR

SESSION 1869-'90



HARVARD LAW LIBRARY

Received AUG 20 1907

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LAWS OF BARRADOS

FOR

SESSION 1889-'90.



6

BARBADOS:

T. E. KING & Co., PRINTERS TO THE LEGISLATURE.

1890.

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A TABLE OF ACTS

PASSED IN SESSION OF 1889-'90.

	PAGE.
1. An Act to continue various expiring Laws. (31st December, 1889.).....	1
2. An Act to amend "The Registration (Births) Act, 1889." (14th January 1890.).....	4
3. An Act to grant a sum of money out of the public treasury and to appropriate the same for the service of the year ending the thirty first day of Decem- ber one thousand eight hundred and ninety. (14th January 1890.).....	4
4. An Act to make permanent the provisions of section two of the Act entitled, "An Act to encourage the cultivation and preservation of trees in this Island"— passed on the 5th day of February 1875." (15th January 1890.).....	15
5. An Act to amend the law relating to the Professorship of Chemistry and Agricul- tural Science, and to the Government Laboratory, (20th January, 1890.).....	16
6. An Act to provide for the refund of cer- tain contributions to the Superannu- ation Fund. (30th January 1890.).....	18
7. An Act to provide for the appointment of an Assistant Harbour Master. (30th January 1890.).....	20
8. An Act to authorize Thomas Peterkin to drive piles and erect a bathing house in the sea opposite his place, called Super Mare, in the Parish of Christ	

	PAGE.
Church. (8th March 1890.).....	21
9. An Act to amend the law relating to perjury. 8th March 1890.).....	22
10. An Act to amend An Act entitled, "An Act to remove doubts as to the jurisdiction of the Court of Chancery of this Island, and to make special provision with respect to lunatics and insane persons in certain cases"—passed on the 30th day of December 1871. (8th March 1890.).....	24
11. An Act to provide for the reporting and publishing of the debates of the Legislative Council and the House of Assembly. (8th March 1890.).....	25
12. An Act to consolidate the Acts relating to the keeping of places of public entertainment. (10th March 1890.).....	26
13. An Act to consolidate the Acts relating to Bank Holidays. (10th March 1890.)	31
14. An Act to consolidate the Acts relating to Co-operative Factories. (11th March 1890.).....	37
15. An Act to consolidate the Acts relating to signal stations. (11th March 1890.)	44
16. An Act to consolidate the Acts relating to the settlement of the poor and prevention of bastardy. (11th March 1890.)	47
17. An Act to consolidate the Acts relating to the sale of goods distrained or taken under executions issuing from the inferior courts. (11th March 1890.)...	59
18. An Act to consolidate and amend the Acts relating to the General Agricultural Society and Reid School of Practical Chemistry (11th March 1890.).....	70
19. An Act to consolidate the Acts relating to bills of exchange, and cheques. (11th March 1890.).....	74
20. An Act to extend the time within which	

	PAGE.
the vestry of the parish of Saint Michael may lay rates for the current parochial year, and to authorise the vestry to raise a loan to enable them to carry on the affairs of the parish until such rates shall be collected. (17th April 1890.).....	79
21. An Act to amend the law relating to the giving of alarms of fire. (18th April 1890.).....	85
22. An Act to amend the Act of the thirty first day of January one thousand eight hundred and fifty seven, entitled, "An Act to provide for the establishment and maintenance of a Court of Appeal. (18th April 1890.).....	86
23. An Act to amend An Act of the twenty fifth day of February one thousand eight hundred and forty seven entitled "An Act to authorize the appointment of Commissioners for taking the acknowledgment and the Probates of Deeds and the Private examination of Married Women." (26th April 1890.).....	88
24. An Act to facilitate the taking of evidence in actions or suits in which any person residing in the United Kingdom is a party. (26th April 1890.).....	89
25. An Act to amend "The Justices of the Peace Procedure Act, 1860." (26th April, 1890.).....	91
26. An Act to provide for the payment of the expenses arising in cases where natives of the Colony are tried by British Courts in foreign Countries. (26th April, 1890.).....	92
27. An Act to consolidate and amend the Acts relating to the West India and Panama Telegraph Company, Limited. (26th	

	PAGE
April, 1890.)	93
28. An Act to enable the Governor-in-Executive Committee to purchase certain portions of the land adjoining Bay Street on both sides thereof. (26th April 1890.).....	105
29. An Act to amend "The Trade Act, 1889," (5th June, 1890.).....	107
30. An Act to consolidate the Acts relating to the salary of the Governor of Barbados, and his Private Secretary, the furnishing of Government House, the Governor's entertainment allowance, the upkeep of grounds and the supply of water to Government House. (6th June 1890.).....	110
31. An Act to consolidate and amend the Acts relating to pews and sittings in churches and chapels in this Island. (7th June, 1890.).....	116
32. An Act to consolidate the Acts relating to the office of the Colonial Secretary. (7th June, 1890.).....	125
33. An Act to consolidate the Acts relating to medical registration in this Island. (7th June, 1890.)..	135
34. An Act to consolidate the Acts relating to the land police; harbour police; and writ officers. (14th June, 1890.).....	145
35. An Act to amend the Act of the 24th day of March, 1874, entitled, An Act to consolidate and amend the Acts relating to the Fire Brigade in the City of Bridgetown and its vicinity (14th June 1890.)	194
36. An Act to amend "The Saint Michael's Parish Rating and Loan Act, 1890" (14th June, 1890.).....	196
37. An Act to grant an additional sum of money out of the public treasury and to appropriate the same for the service	

	PAGE.
of the year ended the thirty first day December one thousand eight hundred and eighty nine (5th July, 1890.)...	197
38. An Act to provide a fund for rebuilding or repairing any of the public buildings which may be injured or destroyed (7th July, 1890.).....	201
39. An Act to consolidate the Act relating to the sale of spirituous liquors by retail (8th July, 1890.).....	202
40. An Act to consolidate the Acts relating to the taking and carrying away sand from certain parts of the beach (8th July, 1890.).....	223
41. An Act to consolidate and amend the Acts relating to poor apprentices (8th July 1890.).....	227
42. An Act to consolidate and amend the Acts relating to Lepers (9th July, 1890.)	234
43. An Act to consolidate and amend the Acts of this Island relating to the Gus- toms Establishment (22nd July, 1890)	241
44. An Act to provide for a loan from the public treasury to the Governing body of Queen's College (22nd July, 1890.)	246
45. An Act to consolidate the Acts relating to Lighthouses (15th August, 1890.)...	247
46. An Act to consolidate and amend the Acts of this Island relating to lunatics and their property (16th August 1890)	251
47. An Act to provide for taking a census of Barbados in the year one thousand eight hundred and ninety one (19th August 1890.).....	267
48. An Act to exempt all machinery and appa- ratus imported as well by Arthur Stephen Plews, Esquire, of England, carrying on business in the City of Bridgetown in this Island under the style or firm of "Geo. Whitfield & Co." as by any other persons for use in the	

	PAGE.
construction and establishment of ice manufactories from the payment of all duties and imposts of every kind (20th August, 1890.).....	276
49. An Act to consolidate and amend the Acts of this Island relating to Savings Banks (6th September, 1890.)... ..	277
50. An Act to consolidate and amend the Acts of this Island, relating to the auditing and inspection of the public accounts (6th September, 1890.).....	295
51. An Act to regulate the appointment and duties of land surveyors and the issue of warrants to survey land in this Is- land (8th September, 1890.).....	302
52. An Act to authorize the payment to the Barbados Water Supply Company Limited, of a porportionate part of their subsidy on their bringing into op- eration certain of their standpipes, and to extend the time granted to the Com- pany to complete their works (11th October, 1890.).....	311
53. An Act, to consolidate and amend the Acts of this Island relating to the Gen- eral Hospital (11th, October, 1890.)	316
54. An Act to consolidate and amend the Acts relating to merchants' gunpowder (11th October, 1890.).....	330
55. An Act to authorize the Vestry of the parish of St Lucy in this Island to raise a loan for the purpose of repair- ing the Curate's house of St. Clement's Chapel in the said parish (28th Octo- ber, 1890.).....	341
56. An Act to amend the "The Rum Duty Act, 1887 " 28th October, 1890.....	347
57. An Act to incorporate into one Act cer- tain pensions granted by resolution of the Legislature during the Session of	

	PAGE.
1889-'90 (28th October, 1890.).....	349
58. An Act to amend " The Sale of Food and Drugs Act 1889 (28th October 1890.)	350
59. An Act to consolidate the Acts relating to the Reformatory and Industrial School (28th October, 1890.).....	352
60. An Act to amend the Barbados Railway Company Act (28th October 1890.)	372
61. An Act to prevent the taking capture or destruction of fish in or within the jurisdiction of this Island by the use of dynamite or other explosives (28th October, 1890.).....	373
62. An Act to provide pensions for Public Officers (28th October, 1890.).....	374
63. An Act to exempt all machinery, and apparatus respectively imported by The Greenland Industries Company, Limited and any other Company or person, for the purpose of manufacturing bricks, tiles, cement, pipes, and other articles of the like nature, from the payment of all duties and imposts of every kind (28th October, 1890.).....	381
64. An Act to consolidate the Acts relating to the recovery of small debts (28th October, 1890.).....	382
65. An Act to consolidate the Acts relating to education (28th October, 1890.)...	420
66. An Act to consolidate and amend the Acts of this Island relating to prisons (28th October, 1890.).....	460
67. An Act to continue various expiring laws. (28th October 1890.).....	477
68. An Act to consolidate the Acts relating to the public market of Bridgetown, to butchers, and to the slaughtering of animals for butchers' meat. (28th October 1890.).....	497

	PAGE.
<p>69. An Act to grant a sum of money out of the public treasury and to appropri- ate the same for the service of the year ending the thirty first day of De- cember one thousand eight hundred and ninety one....</p>	<p>496</p>

[SESSION OF 1889-'90.]



LAWS OF BARBADOS.

CAP. I.

(Assented to 31st December 1889.)

BARBADOS.

An Act to continue various expiring Laws

WHEREAS the several Acts mentioned in the columns one and two of the schedule to this Act annexed, are limited to expire at the times specified in respect thereof in column three of the said schedule; And Whereas it is expedient to continue such Acts for the times mentioned respectively in column four of the said schedule; Be it therefore enacted by the Governor, Council and Assembly of this Island, and by the authority of the same, as follows :

1. This Act may be cited for all purposes as "The Expiring Laws Continuance Act, 1889."

Short title.

2. The Acts mentioned in column one of the schedule to this Act annexed, are hereby continued until (and inclusive of) the dates respectively specified in column four of the said schedule; and any enactment amending or affecting the enactments continued by this Act are also in like manner continued.

Acts indicated in schedule continued.

LAWS OF BARBADOS.

SCHEDULE.

ORIGINAL ACTS.	AMENDING ACTS.	TIME OF EXPIRATION	CONTINUED UNTIL
Public Health (19th February 1851)	17th February 1853 16th February 1851 13th April 1888 3th February 1889 21st June 1878 29th December 1879 30th August 1880 16th February 1881 16th October 1885 22nd May 1889 25th October 1880	31st December 1889	31st December 1890.
Highways (24th February 1864)		31st December 1889	31st December 1890.
Fire Brigade (24th March 1874) ... Additional Clerk to the Petty Debt Court, Bridgetown, (21st October 1874) West India and Panama Telegraph Company, Limited, (6th March 1876) ...		31st December 1889	31st December 1890.
Liquor Licenses Act, 1876	21st May 1885 24th October 1885 18th November 1876 17th July 1885 2nd December 1887	31st December 1889	31st December 1890.
The Trade Act, 1878, (section 19) ... Lunatics Removal (12th July 1879) ... Poor Relief Act, 1880 Emigration Allowance Act, 1881 ...	... .. ... .. 8th February 1887	31st December 1889	31st December 1890.

SESSION OF 1889-'90.

SCHEDULE—Continued.

ORIGINAL ACTS.	AMENDING ACTS.	TIME OF EXPIRATION	CONTINUED UNTIL,
Police Act, 1882...	<div> <div>29th May 1883</div> <div>10th July 1884</div> <div>25th September 1885</div> <div>31st January 1887</div> <div>18th August 1887</div> <div>25th April 1888</div> </div>	31st December 1889	31st December 1890.
Assistant Court of Appeal Act, 1883	<div> <div>10th November 1885</div> <div>7th February 1887</div> <div>24th March 1888</div> </div>	31st December 1889	31st December 1890.
Reformatory and Industrial Schools Act, 1883 ...	<div> <div>21st May 1887</div> <div>11th April 1888</div> <div>29th November 1888</div> </div>	31st December 1889	31st December 1890.
Education Act, 1879, Amendment Act, 1885 (1st April 1886) ...	...	31st December 1889	31st December 1890.
Medical Registration Act, 1885 ...	6th July 1887	31st December 1889	31st December 1890.
Botanical Station (26th June 1886) ...	...	31st December 1889	31st December 1890.
Reporting and publishing Debates of the Legislative Council and House of Assembly, (2nd July 1886.)	...	31st December 1889	31st December 1890.
Ram Duty Act, 1887 ...	<div> <div>25th April 1888</div> <div>1st June 1889</div> </div>	31st December 1889	31st December 1890.
Agricultural Aids Act, 1887 ...	...	31st December 1889	31st December 1890.
Second Assistant Clerk to the Petty Debt Court, Bridgetown (1st June 1889) ...	...	31st December 1889	31st December 1890.
Customs Tariff Act, 1889 ...	...	31st December 1889	31st December 1890.

LAWS OF BARBADOS

CAP. II.

(Assented to 14th January 1890.)

BARBADOS.

"An Act to amend "The Registration (Births) Act, 1889."

WHEREAS it is deemed expedient to amend "The Registration (Births) Act 1889." (hereinafter called the principal Act) in the manner hereinafter mentioned ; Be it therefore enacted by the Governor, Council and Assembly of this Island, and by the authority of the same, as follows ;

Short Title.

1. This Act may be cited as "The Registration (Births) Act, 1889, Amendment Act, 1890."

Repeal.

2. Section nine of the principal Act shall be and the same is hereby repealed.

Colonial Secretary to send Registrars copies of the duplicate registers of births sent him by ministers.

3. The Colonial Secretary shall, within ten days after receiving the copies of the registration of births required to be sent to him by each religious body, denomination, sect or person authorised by law to baptise, cause copies of such copies to be made and sent to the respective registrars of births.

Construction.

4. This Act and the principal Act shall be read together as one Act.

CAP. III.

(Assented to 14th January 1890.)

BARBADOS.

An Act to grant a sum of money out of the public treasury and to appropriate the same for the service of the year ending the thirty first day of December one thousand eight hundred and ninety.

WHEREAS it is deemed expedient to grant the sum of forty two thousand

SESSION OF 1889-'90.

and fifty nine pounds sixteen shillings and two pence out of the public treasury for making good the supply granted for the service of the year ending on the thirty first day of December one thousand eight hundred and ninety, and to appropriate the said sum in the manner hereinafter mentioned; Be it therefore enacted by the Governor, Council, and Assembly of this Island, and by the authority of the same, as follows;

1. This Act may be cited for all purposes as "The Appropriation Act, 1890." Short title.

2. The Colonial Treasurer for the time being may issue out of the public treasury on the warrant of the Governor-in-Executive Committee and apply for making good the supply granted for the service of the year ending the thirty first day of December one thousand eight hundred and ninety the sum of forty two thousand and fifty nine pounds sixteen shillings and two pence. Grant of £42,059 16. 2. out of the Public Treasury.

3. The sum granted by this Act shall be held to be granted on the first day of January one thousand eight hundred and ninety. Date on which grant takes effect.

4. The sum granted by this Act out of the public treasury for making good the supply granted for the service aforesaid is appropriated and shall be deemed to be appropriated as from the first day of January one thousand eight hundred and ninety for the purposes and services expressed in the schedule annexed hereto. Appropriation of sum granted.

5. The schedule annexed hereto shall be deemed to be part of this Act in the same manner as if it had been contained in the body of the Act. Schedule to be deemed part of Act.

LAWS OF BARBADOS.

ABSTRACT

Of the Schedule to which this Act refers

Appropriation of Grants.

	£	s.	D.	£	s.	D.
Establishments.....	...			2,817	10	0
Exclusive of Establishments—						
Head 1—Civil.....	1,164	0	0			
Head 2—Legislative....	68	15	0			
Head 3—Judicial.....	207	5	6			
Head 4—Police.....	5,522	0	0			
Head 5—Harbor Police	445	0	0			
Head 6—Prisons.....	4,849	0	0			
Head 8—Education.....	13,380	4	0			
Head 9—Public Library	11	5	0			
Head 10—Medical.....	6,323	13	4			
Head 13—Drawbacks....	40	0	0			
Head 14—W o r k s and Buildings.....	3,717	0	0			
Head 16—Rent... ..	170	3	4			
Head 17—Subsidies.....	1,429	0	0			
Head 18—Miscellaneous.	1,915	0	0			
Total Exclusive of Es- tablishments.....	...			39,242	6	2
Grand Total.....	...			£42,059	16	2

SESSION OF 1889-'90.

SCHEDULE—PART 1.

Establishments.

Schedule of sums granted to defray the several charges on account of Establishments herein particularly mentioned which will come in, in course of payment, during the year ending on the thirty first day of December 1890.

Service.	Sums not exceeding					
	£	s.	d.	£	s.	d.
HEAD 2—B.						
For salaries of Officers of the Assembly .....	...			750	0	0
HEAD 4.						
For salaries of Medical Officers of the Police...	...			115	0	0
HEAD. 6.						
Additional Salary to Inspector of Prisons.....	50	0	0			
For the salaries of Officers of the Prison Department.....	340	0	0	390	0	0
HEAD 10						
C. For salaries and wages of members of the Staff of the Lunatic Asylum, and the branch Asylum at District "B" other than the Medical Superintendent.....	1,120	0	0			
D. For salaries and wages of the members of the Staff of the Lazaretto, other than the Surgeon, Superintendent, and Chaplain.....	342	10	0			
E. Inspector of Imported animals.....	100	0	0			
Total Head 10.....	...			1,562	10	0
Total Establishments.....	...			2,817	10	0

LAWS OF BARBADOS

SCHEDULE PART II.

Exclusive of Establishments

Schedule of sums granted to defray the several charges Exclusive of Establishments, herein particularly mentioned, which will come in, in course of payment, during the year ending on the thirty first day of December, 1890, namely,

Service.	Sums not exceeding.					
	£	s.	d.	£	s.	d.
HEAD 1.—CIVIL.						
a. For supply of Furniture for Government House £100, stationery and incidentals for Governor's Office £50.....	150	0	0			
b. Clerical Assistance in record branch of Colonial Secretary's Office...	125	0	0			
d. For Furniture Telephone and Miscellaneous Expenses of the Auditor General's Office	5	10	0			
e. For wages of messenger £20, Telephone £6 5 and Miscellaneous of Public Works Office £6 15	33	0	0			
f. Harbour Master, Telephone	6	5	0			
Powder Hulk, Water and Light £17, Maintenance £130.....	147	0	0			

SESSION OF 1889-'90.

Service.	Sums not exceeding.					
	£	s.	d.	£	s.	d.
<i>g.</i> For special services, wages furniture, and Miscellaneous of the Customs Department...	454	15	10			
<i>j.</i> For wages, gas, water and contingencies at the Market.....	207	10	0			
<i>o.</i> For Instruments apparatus &c., for the Inland Revenue Department...	35	0	0			
Total Head 1, Civil.	...			1,164	0	0
HEAD 2—LEGISLATIVE.						
(<i>a.b.c.</i>) For Miscellaneous of the Legislative Departments including refreshments.....	...			68	15	0
HEAD 3—JUDICIAL.						
For Miscellaneous of Judicial Department £40 } clerical assistance for } Bridgetown Magistrates £100..... }	140	0	0			
Books £50, Interpreter £5	55	0	0			
Provost Marshal's Office...	12	5	6	207	5	6
HEAD 4—POLICE.						
For the support of the Police Department.....	...			5,522	0	0

LAWS OF BARBADOS

Service.	Sums not exceeding.					
	£	s.	d.	£	s.	d.
HEAD 5—HARBOUR POLICE.						
For the support of the Harbour Police Department.....				445	0	0
HEAD 6—PRISONS.						
For the support of the Prison Department.....	3,651	0	0			
For the support of Dodds Reformatory	1,198	0	0	4,849	0	0
HEAD 8—EDUCATION.						
To defray the expenditure to be incurred under the Education Act, 1878...				13,380	4	0
HEAD 9—PUBLIC LIBRARY.						
For the Miscellaneous expenditure of the Public Library Department...				11	5	0
HEAD 10—MEDICAL.						
<i>c</i> Lunatic Asylum—						
For the support of the Lunatic Asylum.....	3,430	0	0			
<i>d.</i> Lazaretto—						
For the support of the Lazaretto.....	2,413	0	0			

SESSION OF 1889-'90.

Service.	Sums not exceeding.	
e. Board of Health—		
Wages, Miscellaneous &c., £95 13 4		
Repairs 50 0 0		
Erection and upkeep of Animal Quarantine Sta- tion.....£250 0 0		
Guarding vessels in Quar- antine..... £100 0 0	495 13 4	
f. Poor Law Board—		
For Messenger, furniture and Miscellaneous.....	15 0 0	
Total Head 10, Medical HEAD 13—DRAWBACKS	...	6,323 13 4
For payment to the Mili- tary Departments in lieu of drawback at the rate of £40 a year.. .....	...	40 0 0
HEAD 14—WORKS AND BUILDINGS.		
A. For wages and contin- gencies of the Public Buildings.....	...	95 0 0
B. For repairs and alter- ations, namely :—		
1. Public Buildings.....	100 0 0	
1. a. Government House	150 0 0	
Carried forward.....	250 0 0	95 0 0

LAWS OF BARBADOS.

Service.	Sums not exceeding					
	£	s.	d.	£.	s.	d.
Brought Forward.....	250	0	0	95	0	0
1. <i>g.</i> Customs and Petroleum Warehouse.....	25	0	0			
1. <i>j.</i> Market.....	75	0	0			
1 <i>m.</i> Signal Stations and Inland Telegraph.....	40	0	0			
4. Police Stations.....	200	0	0			
6. Prisons & Town Hall Reformatory.....	150	0	0			
	40	0	0			
7. Bishop's Court.....	50	0	0			
10. <i>c.</i> Lunatic Asylum...	237	0	0			
10. <i>d.</i> Lazaretto.....	125	0	0			
Miscellaneous... ..	100	0	0			
<i>a.</i> Swing Bridge.....	25	0	0			
<i>b.</i> Buoys.....	150	0	0			
<i>c.</i> Cranes, repairs and Painting.....	15	0	0			
<i>d.</i> Fountain Garden...	10	0	0			
Codrington House...	25	0	0			
<i>f.</i> Wharf walls.....	100	0	0			
<i>g.</i> Repairs to Pumps...	100	0	0			
Dredge.....	75	0	0	1,792	0	0

SESSION OF 1889-'90.

Service.	Sums not exceeding		
	£	s.	D.
C. New Works—			
New Light Needham's			
Point.....	125	0	0
Dredging.....	500	0	0
St. Mary's Garden.....	120	0	0
Dodds Laboratory.....	50	0	0
Market Cattle Pens.....	300	0	0
Hospital at Glendairy.....	153	0	0
Lunatic Asylum Strong			
Room	50	0	0
Lazaretto—Stewards and			
attendants quarters.....	150	0	0
Total New Works			1,448 0 0
D. Incidental Expenses—			
For salary of Storekeeper			
and Assistant in office			
of Superintendent of			
Public Works.....	80	0	0
For upkeep of Fountain			
and St. Mary's Gardens	20	0	0
For Lighting the Wharf	100	0	0
Foreman £70. Travelling			
expenses £12.....	82	0	0
Labor Gang.....	100	0	0
Total Incidental Ex-			
penses.....	...		382 0 0
Total Head 14—Works			
and Buildings.....			3,717 0 0
HEAD 16—Rent.			
For Rent of Buildings			
occupied by various De-			
partments of the Gov-			
ernment.....	...		170 3 4

LAWS OF BARBADOS.

Service.	Sums not exceeding.					
	£	s.	d.	£	s.	d.
HEAD 17—SUBSIDIES AND GRANTS.						
Royal Mail Subsidy and cost of remittance to 30th June 1890.....			...	1,429	0	0
HEAD 18—MISCEL- LANEOUS.						
For cost of Parish Regis- ters and indexing and binding the same.....	100	0	0			
For cost of Telegrams sent on the Public Service...	50	0	0			
For advertising Liquor Licenses.....	20	0	0			
For Government Binding and Printing.....	1,200	0	0			
For Stationery for the use of the Public Depart- ments.....	225	0	0			
This amount to be placed at the Governor's dis- posal for the service of the Colony.....	100	0	0			
Expenses incident to work- ing the Rum Act 1887...	20	0	0			
Expenses incident to work- ing the Adulteration Act 1888.....	200	0	0			
Total Head 17—Miscel- laneous.....			...	1,915	0	0
Total Exclusive of Estab- lishments.....			...	£39,242	6	2

SESSION OF 1889-'90.

CAP. IV.

(Assented to 15th January 1890.)

BARBADOS.

"An Act to make permanent the provisions of section two of the Act entitled, "An Act to encourage the cultivation and preservation of trees in this Island"—passed on the 5th day of February 1875.

WHEREAS the period for which the provisions of section two of the Act of this Island entitled, "An Act to encourage the cultivation and preservation of trees in this Island," passed on the fifth day of February one thousand eight hundred and seventy five, are limited by that section of the the said Act will expire on the fifth day of February one thousand eight hundred and ninety ; And Whereas it is deemed expedient to make permanent the provisions of the said section two of the said Act ; Be it therefore enacted by the Governor, Council and Assembly of this Island, and by the authority of the same, as follows ;

1. In lines one and two of section two of the said Act of the fifth day of February one thousand eight hundred and seventy five the words "within fifteen years" shall be replaced by the words "at any time."

Section 2 of Act of
5th February 1875,
made perpetual

LAWS OF BARBADOS

CAP. V.

(Assented to 20th January, 1890.)

BARBADOS.

An Act to amend the law relating to the Professorship of Chemistry and Agricultural Science, and to the Government Laboratory.

BE it enacted by the Governor, Council, and Assembly of this Island, and by the authority of the same, as follows ;

Short title.

1. 'This Act may be cited as "The Professorship of Chemistry, and Government Laboratory Act, 1890."

Education Board to appoint Professor of Chemistry and Agricultural Science.

His Salary and duties.

2. The Education Board shall, whenever a vacancy occurs in the Professorship of Chemistry and Agricultural Science, appoint a duly qualified person to fill the same ; and the said Professor shall receive an annual salary of five hundred pounds, and shall hold himself at the disposal of the Education Board, and shall retain his office during the pleasure of the same, and shall be employed at the discretion of the Board in superintending and directing the instruction given in his department as well as himself gratuitously imparting instruction at the Government Laboratory to the pupils of the principal educational establishments of the Island, and shall gratuitously render assistance to and perform analysis for any Government Institution or officer, which or who may in the discharge of official duties require such assistance and analysis ; and the Board shall make rules and regulations for settling the instruction to be given by the said Professor to the pupils of the schools

SESSION OF 1889-90.

and colleges of the Island, and for fixing the fees demandable by the Professor for assistance rendered to or analyses made for private persons, and shall also if possible arrange for the delivery by the said Professor of courses of public lectures and the holding of evening classes, for the benefit of young men engaged in business and others, and they shall fix the fees to be paid by attendants at such lectures and classes.

3. The Education Board are hereby empowered to appoint a laboratory assistant to the Professor of Chemistry to aid him in the discharge of the several duties imposed on him by this Act. Such assistant shall hold his office during the pleasure of the Board and shall receive during his first year of office a salary of forty pounds increasing annually thereafter by increments of ten pounds until the maximum of one hundred pounds is arrived at, after which during his continuance in office he shall receive the annual salary of one hundred pounds.

Education Board
may appoint a Laboratory Assistant.

His Salary.

4. The Education Board are hereby empowered to appoint an office messenger and porter for the laboratory. Such messenger and porter shall be appointed on such terms as to dismissal as the Board may think fit, and shall receive a salary at the rate of twelve pounds ten shillings per annum.

Education Board
may appoint office messenger for Laboratory.

5. The several salaries in this Act mentioned shall be paid out of the public treasury on the warrant of the Governor-in-Executive Committee by equal monthly instalments

Salary under this Act, how payable.

6. A sum not exceeding one hundred and seventy five pounds is hereby granted to the Education Board out of the public treasury

£175 granted to supply the Laboratory.

LAWS OF BARBADOS

tory with fittings.
&c.

Provision for up-
keep of Laboratory.

Repeal.

Suspending sec-
tion.

sure for supplying the laboratory with fittings, furniture, books and apparatus.

7. The sum required to defray the cost of chemicals, of the repair of apparatus &c. of the supplying of gas and water, and the other incidental expenses of the laboratory shall be voted on the annual estimates and, paid out of the public treasury.

8. Section seventy one of "The Education Act, 1878," is hereby repealed.

9. This Act shall not come into operation unless and until the officer administering the Government notifies by proclamation that it is Her Majesty's pleasure not to disallow the same, and thereafter it shall come into operation upon such day as the officer administering the Government shall notify by the same or any other proclamation.

CAP. VI.

(Assented to 30th January 1890.)

BARBADOS.

An Act to provide for the refund of certain contributions to the Superannuation Fund.

BE it enacted by the Governor, Council and Assembly of this Island and by the authority of the same, as follows ;

Short title.

1. This Act may be cited as "The Superannuation (Refund of Contributions) Act, 1890."

Contributions to
The Superannua-
tion Fund of officers
who ceased to con-
tribute before "The
Superannuation
Act, Amendment

2. The amount contributed to the Superannuation Fund by any officer who ceased to contribute prior to the passing of "The Superannuation Act, Amendment Act, 1883," in consequence of resignation, retirement from the service of this Colony after

SESSION OF 1889-'90.

having contributed for a period of less than ten years, promotion to an office that did not fall within the scope of "The Superannuation Act, 1870," death or any cause other than dismissal from the service, or its equivalent, shall be refunded, without interest, to such officer or in case of his death, to his legal personal representative.

3. The amount contributed to the Superannuation Fund by any officer who, either prior to the passing of this Act or within six months after the passing of this Act, shall have given to the Colonial Treasurer the notice specified in section two of "The Superannuation Act, Amendment Act, 1883," shall be refunded to him, or in case of his death, to his legal personal representative, without interest.

4. Any officer, who shall fail to avail himself of the provisions of section two of "The Superannuation Act, Amendment Act, 1883," within six months after the passing of this Act, shall not be entitled to an immediate refund of his contributions to the Superannuation Fund if he avails himself of such provisions subsequently; such contributions shall be refunded to him without interest, on his retirement from the service, or to his legal personal representative on his death in the service.

5. The officers who have contributed to the Superannuation Fund for a period of ten years, and are under the provisions of section seventeen of "The Superannuation Act, 1870," entitled to a pension, may within six months after the passing of this Act, but not afterwards, elect in writing, addressed to the Colonial Treasurer, to receive the amount contributed by them to the Superannuation

Contributions of officers who take advantage of sect. 2 of that Act, to be refunded, immediately if notice given before expiration of 6 months after date of this Act;

or on retirement or death if notice given subsequently.

Officers entitled to a pension may, within 6 months after date of this Act, elect to receive a refund of their contributions on condition of forfeiting their rights to a pension.

LAWS OF BARBADOS

Fund and such amount shall be refunded to them without interest, and if they so elect, they shall forfeit all right to a pension.

CAP. VII.

(Assented to 30th January 1890.)

BARBADOS.

An Act to provide for the appointment of an Assistant Harbour Master.

BE it enacted by the Governor, Council and Assembly of this Island and by the authority of the same, as follows ;

Short title.

1. This Act may be cited as "The Assistant Harbour Master's Act, 1890."

Governor may appoint an Assistant Harbour Master. Salary not to exceed £150.

2. It shall be lawful for the Governor to appoint an Assistant Harbour Master at an annual salary of not exceeding one hundred and fifty pounds, payable out of the public treasury on the warrant of the Governor-in-Executive Committee, by equal monthly instalments.

Duties of Assistant Harbour Master to be fixed by Governor-in-Executive Committee.

3. The Assistant Harbour Master shall perform such of the duties of the Harbour Master, and shall assist the Harbour Master in such manner and to such extent, and in addition, shall perform such other duties as the Governor-in-Executive Committee may from time to time appoint.

4. The Assistant Harbour Master shall, in respect of the duties imposed on him by this Act, have all the powers, authorities, rights and privileges which, and be subject to all the obligations to which, the Harbour Master by law now has and is subject, and the Harbour Master if, and so far as he is, by any rule of the Governor-in-Executive Committee excused from discharging any

SESSION OF 1889-'90.

duty imposed on the Assistant Harbour Master shall be exempt from all liability in respect of the non performance thereof.

5. The Harbour Master shall, (subject however and without prejudice to section three of this Act) supervise and direct the swinging of the swing bridge, and the removal of all vessels into or from the inner basin of the careenage.

CAP. VIII.

(Assented to 8th March 1890.)

BARBADOS.

An Act to authorize Thomas Peterkin to drive piles and erect a bathing house in the sea opposite his place, called Super Mare, in the Parish of Christ Church.

WHEREAS the said Thomas Peterkin has presented a petition to the Legislature of this Island, stating that he is the owner of a place, called Super Mare, in the parish of Christ Church in this Island, bounding (amongst other boundaries) on the seashore, and that he desires to drive piles and erect a bathing house in the sea opposite his said place ; and praying that he his heirs and assigns may have legislative protection in the use and enjoyment of the said bathing house, and the exclusive right and benefit thereof ; And Whereas it is deemed expedient to grant the prayer of the said petition ; Be it therefore enacted by the Governor, Council, and Assembly of this Island, and by the authority of the same, as follows ;

1. The said Thomas Peterkin his heirs T. Peterkin au-

LAWS OF BARBADOS

thorized to erect a bathing house on Piles in the sea opposite his place called Super Mare for his sole benefit. and assigns may drive piles and erect a bathing house in the sea opposite his place called Super Mare, in the parish of Christ Church in this Island, and may from time to time repair, alter or remove the said bathing house; and the said bathing house, so to be erected and built, shall be to and for the sole use and benefit of the said Thomas Peterkin his heirs and assigns forever.

CAP. IX.

(Assented to 8th March 1890.)

BARBADOS.

An Act to amend the law relating to perjury.

BE it enacted by the Governor, Council, and Assembly of this Island, and by the authority of the same, as follows ;

Short title.

1. This Act may be cited as "The Prosecution of Perjury Act, 1889."

The Chief Justice and other Judges, Magistrates &c. authorized to direct any person appearing guilty of perjury in any evidence &c. to be prosecuted and to commit the party unless he enter into a recognizance to appear and take his trial and to bind persons to prosecute or give evidence.

2. It shall and may be lawful for the Chief Justice or the Judge of the Court of Escheat or for the Judges of the Assistant Court of Appeal, or for any Judge of any Petty Debt Court or for any Police Magistrate, or for the Provost Marshal whenever any writ of enquiry, or writ of trial from the Court of Common Pleas shall be executed before him, in case it shall appear to him or them that any person has been guilty of wilful and corrupt perjury in any evidence given, or in any affidavit, deposition, examination, answer, or other proceeding made or taken before him or them to direct such person to be prosecuted for such perjury in case there shall appear to him or them a reasonable cause for such prosecution, and to commit such person, so

directed to be prosecuted, until the next sitting of the Court of Grand Sessions of Oyer and Terminer and General Gaol Delivery and Grand Sessions of the Peace unless such person shall enter into a recognizance with one or more sufficient surety or sureties conditioned for the appearance of such person at such next sitting of the said Court, and that he will then surrender and take his trial and not depart the Court without leave, and to require any person, he or they may think fit, to enter into a recognizance conditioned to prosecute or give evidence against such person so directed to be prosecuted as aforesaid; and all oral or written evidence taken by or produced before the said Judge, Judges, Police Magistrate or Provost Marshal relating to or affecting the question of the guilt or innocence of the person so directed to be prosecuted, shall be transmitted to the Clerk of the Crown, or his lawful deputy ten days at least before the opening of the Court at which such matter is to be tried.

3. Every person who commits the offence of wilful and corrupt perjury, (provided the case has not been dealt with under the preceding section) or of subornation of perjury, shall on conviction thereof before a Police Magistrate be liable to be imprisoned with or without hard labour for any term not exceeding six months. Provided always that any Police Magistrate before whom any person is charged with committing either of the said offences, if he is of opinion that the offence is from any special circumstances connected therewith one which should be prosecuted by indictment, shall abstain from any adjudication thereupon,

Persons committing perjury or subornation of perjury may be summarily convicted and punished.

Proviso.

LAWS OF BARBADOS

and shall deal with the case in all respects in the same manner as if he had no authority finally to hear and determine the same.

CAP. X.

(Assented to 8th March 1890.)

BARBADOS.

An Act to amend An Act entitled, "An Act to remove doubts as to the jurisdiction of the Court of Chancery of this Island, and to make special provision with respect to lunatics and insane persons in certain cases"—passed on the 30th day of December 1871.

WHEREAS it is deemed expedient to amend the Act of this Island entitled, An Act to remove doubts as to the jurisdiction of the Court of Chancery of this Island, and to make special provision with respect to lunatics and insane persons in certain cases,—passed on the 30th day of December 1871,—in the manner hereinafter appearing; Be it therefore enacted by the Governor, Council, and Assembly of this Island and by the authority of the same, as follows;

Section 2 of the Act of 30th December 1871 amended.

1. Section two of the said Act is hereby amended by inserting the word "five" in line six thereof in place of the word "one," and the words "three hundred" in place of the word "sixty" occurring in line seven thereof.

Short titles and construction.

2. The said Act of the thirtieth day of December one thousand eight hundred and seventy one may be cited for all purposes as "The Chancery Jurisdiction Lunacy Act,

SESSION OF 1889-'90.

1871," and this Act, may be cited for all purposes as "The Chancery Jurisdiction Lunacy Act, 1871, Amendment Act, 1890," and the said two Acts shall be read together as one Act.

CAP. XI.

(Assented to 8th March 1890.)

BARBADOS.

An Act to provide for the reporting and publishing of the debates of the Legislative Council and the House of Assembly.

BE it enacted by the Governor, Council, and Assembly of this Island, and by the authority of the same, as follows ;

1. A sum not exceeding the sum of five hundred pounds shall be paid annually on the warrant of the Governor-in-Executive Committee for the reporting and printing in such manner as the Governor-in-Executive Committee shall determine, the debates of the Legislative Council and the House of Assembly. A sum not exceeding £500 a year to be paid for reporting and printing debates of the Legislature.

2. Every contract made by the Governor-in-Executive Committee for the reporting and printing of the debates of the Legislative Council and the House of Assembly shall contain a time clause authorizing either party to the contract to terminate the same at any time during its continuance on giving six months previous notice to the other party of their intention to do so. Contract to contain a clause that either party may terminate the same on giving 6 months notice.

3. This Act shall not come into operation until the first day of January one thousand eight hundred and ninety one. Commencement of Act.

LAWS OF BARBADOS

CAP. XII.

(Assented to 10th March 1890.)

BARBADOS.

An Act to consolidate the Acts relating to the keeping of places of public entertainment.

BE it enacted by the Governor, Council, and Assembly of this Island, and by the authority of the same, as follows ;

Short title.

Short Title. 1. This Act may be cited as "The Licensed Places of Public Entertainment Act, 1890."

Interpretation.

Interpretation 2. The term "place of public entertainment" when used in this Act shall mean any house, room, garden, or other place habitually kept, although not at stated intervals, for public dancing or other public entertainment in which the public may join on payment of money either directly or indirectly.

License.

No person to keep a place of Public entertainment with out obtaining annually a license. 3 No person shall in any year have, keep, or open any place of public entertainment unless and until he has in manner hereinafter provided, previously in such year, obtained a license for that purpose.

Penalty on infringing section 3. 4. Every person who infringes the provisions of the last preceding section of this Act, shall for every offence be liable to a penalty not exceeding five pounds.

Mode of obtaining a license. 5. Every person who desires to obtain a license to keep a house, room, garden, or other place of public entertainment shall in each year in which he desires to obtain such

SESSION OF 1889-'90.

license comply with the following requirements ;

- (1) he shall produce and leave with the Colonial Treasurer a certificate from the police magistrate of the district in which he intends to keep such place of public entertainment, certifying that to the knowledge of such police magistrate, he is a fit and proper person to keep a place of public entertainment,
- (2) he shall pay to the Colonial Treasurer the sum of one pound.

6. Every person who complies with the provisions of the preceding section shall receive from the Colonial Treasurer, who is hereby authorized and required to give the same, a license in the form in the schedule marked 'A' to this Act ; which license shall authorize such person to keep a place of public entertainment from the date of such license up to and inclusive of the thirty-first day of December in the year in which such license is given.

Licenses to be given by Colonial Treasurer.

Their form and effect.

7. The license mentioned in the last preceding section shall not be transferable.

Licenses not transferable.

Removal.

8. Whenever any person holding a license under the provisions of this Act shall be desirous to remove from the place of public entertainment in respect of which such license was originally granted, before doing so, he shall have the consent of the police magistrate of the district in which the place to which he intends to remove is situated ; provided always that no more than two such removals shall be permitted in any one year.

Removal of license holder from one place to another

LAWS OF BARBADOS

Penalty.

9. Whoever shall infringe the provisions of the last preceding section shall be liable to a penalty not exceeding five pounds.

*Signboard.***Signboards.**

10. Every person who keeps a place of public entertainment shall exhibit on some public part of the premises a signboard having the words "Licensed Place of Public Entertainment No " and the number of his license painted thereon in white letters of not less than three inches in height on a black ground.

Who deemed to be keeper.

Who to be deemed 11. Any person who shall appear, act, or the keeper of any behave himself or herself as master or misplace of public en- tress, or as the person having the care, tertainment. government or management of any place of public entertainment shall be deemed and taken to be the keeper thereof, and shall be liable to be prosecuted and punished as such; notwithstanding he or she shall not in fact be the real owner or keeper thereof.

No license if house on premises with liquor shop.

No place of pub- 12. No house, room, garden, or other lic entertainment to be on the same place on the same premises with the shop of a licensed premises with the as a place of public entertainment under a shop of a licensed penalty not exceeding one pound for every retailer of liquors. day that such licensed place of public entertainment is kept on the same premises with the shop of a licensed retailer of liquors.

License when cancelled.

License of keeper 13. Any householder residing within of public entertain- four hundred yards of any place of public ment prejudicial to entertainment, may lodge a complaint before the peace and quiet a police magistrate against the keeper of such of any neighbour-

SESSION OF 1889-'90.

licensed place of public entertainment for causing the disturbance of the peace and quiet of the neighbourhood and if upon the hearing of such complaint, such police magistrate shall be of opinion that on account of the misconduct of those frequenting or attending such place of public entertainment, or on account of the musical performance, held at such place of public entertainment, or from any reasonable or sufficient cause whatsoever the keeping of such place of public entertainment is prejudicial to the peace and quiet of such neighbourhood, he shall cancel the license of such keeper and impose upon him a fine not exceeding five pounds.

hood may be cancelled on complaint of any householder residing within 400 yards thereof.

Exemption from license.

14 Nothing in this Act contained shall extend or be construed to extend to the case of persons casually visiting the Island, and giving any public entertainment.

Cases excepted from the Act.

Penalties

15. Every person violating any of the provisions of this Act for the violation of which no penalty is expressly provided, shall on conviction thereof be liable for every such offence to a penalty not exceeding five pounds.

Penalty for violation of provisions of Act for which a penalty not expressly provided.

16. All penalties under this Act shall be recovered in a summary manner before a police magistrate on the complaint of any person, and paid one half to the informer and one half into the public treasury to the credit of the general revenue.

Penalties how recovered.

Repeal

17. The Acts mentioned in schedule "B" to this Act annexed are hereby repealed; provided that this repeal shall not affect;

Repeal and savings.

LAWS OF BARBADOS

1. The past operation of the enactments hereby repealed nor anything done or suffered under the enactments hereby repealed ; nor
2. any right, privilege, obligation, or liability acquired, accrued, or incurred under the enactments hereby repealed ; nor
3. any penalty, forfeiture, or punishment incurred in respect of any offence committed against the enactments hereby repealed ; nor
4. any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture, or punishment as aforesaid, and any such investigation, legal proceeding and remedy may be carried on as if this Act had not passed.

SCHEDULE A.

No. Barbados 18 .
 THE LICENSED PLACES OF PUBLIC ENTERTAINMENT ACT, 1890.

I do hereby certify that
 of in the parish or City
 of having this day paid in
 the sum of one pound is hereby licensed
 to keep a for public entertainment
 at in the parish or City of
 until the 31st day of
 December 18 .

Colonial Treasurer.

[NOT TRANSFERABLE.]

SESSION OF 1889-'90.

SCHEDULE B.		
Date of Act	Title of Act	Extent of Repeal
17th July 1885.....	An Act to regulate the keeping of places of public entertainment....	The Whole Act
6th September 1887.	An Act to amend "The Licensed Places of Public Entertainment Act, 1885 "	The Whole Act

CAP. XIII.

(Assented to 10th March 1890.)

BARBADOS.

A Bill entitled, An Act to consolidate the Acts relating to Bank Holidays.

BE it enacted by the Governor, Council, and Assembly of this Island, and by the authority of the same, as follows;—

1. This Act may be cited for all purposes as "The Bank Holidays Act, 1890."

Short title.

LAWS OF BARBADOS

Definition.

2. In this Act the expression "place of business" means any office, counting house, store, shop, workshop, warehouse, stall or booth, or any other place where business of any description is carried on or transacted.

**Days noted in
Schedule to be kept
as close holidays.**

3. The several days in schedule A to this Act annexed (and which days are in this Act hereinafter referred to as Bank holidays) shall be kept as close holidays in all Banks in this Island, and as public holidays at the several public offices.

**No person obliged
to make payment
&c., on holidays.**

4. No person shall be compellable to make any payment or to do any act upon such Bank holidays, which he would not be compellable to do or make on Christmas Day or Good Friday; and the obligation to make such payment and to do such act shall apply to the day following such Bank holiday, and the making of such payment and doing of such act on such following day shall be equivalent to payment of the money or performance of the act on the holiday.

**No employee to be
allowed or required
to attend at any
place of business on
any bank holiday.**

5. Every person or body politic or corporate, who shall allow or require the attendance of any one or more employee or employees at any place of business on any Bank holiday, shall be deemed to have offended against the provisions of this Act, and shall for every such offence incur and pay a penalty not exceeding fifty pounds, and such penalty shall be to Her Majesty, her heirs and successors for the uses of the Island, and may be recovered on the complaint of any person as in the case of servants' wages.

Exceptions.

6. There shall be excepted from the operation of this Act;

1—Hotels, boarding houses, and clubs.

SESSION OF 1889-'90.

- 2—Restaurants and refreshment bars for the sale of articles consumed on the premises.
- 3—Livery Stables.
- 4—The business of "The Barbados Railway Company, Limited."
- 5—The business of "The Bridgetown Tramways Company, Limited."
- 6—The business of "The West India and Panama Telegraph Company, Limited."
- 7—The business of "The Barbados Telephone Company, Limited."
- 8—The business of "The Barbados Gas Company."
- 9—The business of agents of any steamers coming to the Island on any business for the purpose of such steamers.
- 10—The business of plantations or business of owners of lands relating to such plantations or lands.
- 11—The business of undertakers of funerals in any case of emergency or necessity; such emergency or necessity to be determined by the Police Magistrate before whom any complaint is heard.
- 12—Any place of business for the sale of any of the following articles,
 - (a) Drugs or medicines.
 - (b) Bread, fresh fish, butchers meat or ice not later than nine o'clock in the morning.
 - (c) Cooked food.
- 13—The selling of any article in any place of business which may be required in any case of illness

LAWS OF BARBADOS

of any person or animal, where the seller thereof has reasonable grounds for believing such article to be required for either of these purposes; such reasonableness to be determined by the Police Magistrate before whom any complaint is heard.

Sitting of a Court not to begin on a bank holiday and need not be continued on such day if it begins before.

7. Whenever a Bank holiday falls on any day on which according to law a sitting of any Court would begin, such sitting shall not begin on that day but on the week-day next following the Bank holiday, and whenever a Bank holiday occurs during the sitting of any Court, it shall be lawful for such Court at its rising on the day next preceding such Bank holiday to adjourn until the week day next succeeding the Bank holiday.

The opening of the General Post Office on bank holidays for certain purposes authorised

8. It shall be lawful for the Colonial Post Master to open the General Post Office, Bridgetown, on Bank Holidays, and to require the attendance thereof of the Post Office employees for the purpose of despatching mails to places beyond the seas by steamers, of receiving mails that have been brought from places beyond the seas by steamers, and of delivering such mail letters at the said General Post Office to the addressees thereof, subject to the regulations that now exist, or may hereafter be made, concerning the delivery of letters at the General Post Office to the addressees thereof.

If a Royal Mail Steamer would otherwise arrive or depart on a Bank Holiday the Bank Holiday to be kept

9. In every case in which the day appointed by law as a Bank Holiday is also the day appointed for the arrival or departure of any of the Royal Mail Steamers, and is not the day after Christmas or one of three consecutive days each of which is

SESSION OF 1889-'90.

a public holiday, such day shall not be in the following kept as a Bank holiday but the corresponding day in the following week shall be a Bank Holiday instead. Notice of the day to be kept as a Bank Holiday shall in each case in which the provisions of this section shall come into operation be inserted in the Official Gazette at least two weeks before the day's arrival.

10. It shall be lawful for the Governor-in-Executive Committee from time to time, when they are of opinion that in any year it is inexpedient that a day by this Act appointed for a Bank holiday should be a Bank holiday, to declare by proclamation, in the manner in which solemn fast or days of public thanksgiving may be appointed, that such day shall not in such year be a Bank holiday, and to appoint such other day as to them may seem fit to be a Bank holiday instead of such day, and thereupon the day so appointed shall in such year be substituted for the day so appointed by this Act.

Powers to Governor in Executive Committee to change day fixed for a holiday.

11. The several Acts set forth in schedule B to this Act annexed are hereby repealed to the extent to which such acts are by such schedule expressed to be repealed.

Repeal section.

SCHEDULE. A.

Bank Holidays.

The first day of January in every year, if a week day.

Easter Monday.

Whit Monday.

The day appointed for the celebration of the birthday of the Sovereign.

The first Monday in August.

The twenty-sixth day of December, if a week day.

If either the first day of January or the twenty-sixth day of December falls on a Sunday, the next following Monday shall be a bank holiday.

LAWS OF BARBADOS

SCHEDULE B.

Date of Act.	Title of Act.	Extent of Repeal.
21st October 1873...	An Act to make provision for Bank Holidays, and respecting obligations to make payments and do other Acts on such Bank Holidays	The whole Act except sections one, from and inclusive of "all bills of exchange" in the fourth line to the end thereof, and section two.
1st April, 1885	An Act to extend the provisions of "The Bank Holidays Act, 1873."	The whole Act.
21st December, 1887.	An Act to amend "The Bank Holidays' Acts"	The whole Act.
11th March, 1889... 1873."	An Act to extend the provisions of "The Bank Holidays' Act, 1873."	The whole Act.

SESSION OF 1889-'90.

CAP.XIV.

(Assented to 11th March 1890.)

BARBADOS.

An Act to consolidate the Acts relating to Co-operative Factories.

BE it enacted by the Governor, Council, and Assembly of this Island, and by the authority of the same as follows ;

1. This Act may be cited as "The Co-operative Factories Act, 1890." Short title.

2. Sections two, three, ten, and eleven, sections twenty two to twenty seven (both included,) sections twenty nine and thirty two, sections thirty nine to forty three (both included,) sections forty six to fifty (both included,) and section fifty two of "The Settled Estates Act, 1878," shall be deemed to be incorporated in this Act as if they were herein expressly enacted and shall continue to be so incorporated notwithstanding that such Act may be subsequently repealed ; and when in any of the said sections the word "lease" occurs, the words "such contract as mentioned in this Act" shall be deemed to be substituted therefor.

3. The power and jurisdiction by this Act conferred, on the court, shall be exercised, subject to and in accordance with the provisions incorporated in this Act by the last preceding section.

4. It shall be lawful for the court if it shall deem it proper and consistent with a due regard for the interests of all parties entitled under any settlement to authorise contracts to be made for the manufacture into sugar of the canes grown on settled

Certain sections of "The Settled Estates Act 187," to be deemed part of this Act.

The Court to exercise its power according to sections of settled Estates Act incorporated in this Act.

The Court may authorise contracts to be made for the reaping of canes grown on settled Estates at Co-operative Factories.

LAWS OF BARBADOS

estates at co-operative factories on the basis that the proprietors of plantations situate near or contiguous to each other should combine and should enter into a contract on a basis of co-operation and mutual benefit with any company or person that might be willing to erect at their or his expense a sugar factory for the use of the plantations of such combined proprietors, namely ; on the terms that such combined proprietors shall send all the canes grown on such plantations to such factory for manufacture into sugar, and that the owner or owners of such factory shall accept payment in kind for the use of such factory, and shall retain by way of remuneration one fifth or one fourth or such other proportion of the sugar produced from the canes delivered to such factory as shall be agreed on between the contracting parties and shall deliver the remainder of such sugar to the proprietors of the said combined plantations in the shares and proportions in which they shall be entitled to the same ; such contracts to be on such terms and to contain such covenants, conditions and stipulations as the court shall deem expedient or shall approve of with reference to the special circumstances of each estate.

The Court may direct a Receiver of any plantation which is under its control to execute a contract with a co-operative factory on behalf of all persons interested.

5. (1.) In the case of plantations, which now are or may hereafter be cultivated and managed under the direction and control of the court, it shall be lawful for the court to authorise a contract to be made for the manufacture into sugar of the juice contained in canes grown on any such plantation at a co-operative factory, on the basis and in the manner hereinbefore set forth ; and when any such contract

SESSION OF 1889-'90.

has been sanctioned by the court, the court shall direct the receiver of the rents and crops of the said plantation to execute the same on behalf of the owners, mortgagees, and all persons interested in the said plantation ; and the contract executed by such receiver, shall have the same validity and effect in all respects as it would have if such receiver were at the time of the execution thereof absolutely entitled to such plantation.

(2.) No contract shall be authorised by the court under the first part of this section except with the concurrence or consent of the owners, mortgagees, incumbrancers, and all persons interested in the plantation to which such contract relates.

Consent of owners and incumbrancers required for contracts under first part of this section.

6. No contracts authorised to be made by the two last preceding sections of this Act, for the manufacture into sugar of canes grown on settled plantations or estates, or on plantations or estates under the direction and control of the Court of Chancery, at a co-operative factory on the basis and in the manner set forth in section four of this Act shall be for a longer period than the term of forty years.

Contracts under two last preceding sections of this Act not to exceed forty years.

7. Any person having or beneficially interested in any mortgage, lien, or charge on or affecting any plantation which now is or may hereafter be cultivated and managed under the control of the court as aforesaid, may apply to the court to sanction such contract as aforesaid, and every such application must be made with the concurrence or consent of every other person having or beneficially interested in any mortgage, lien, or charge on or affecting the said plantation.

Persons having liens against such plantations may with concurrence of all others having liens apply to the Court to sanction such contract.

LAWS OF BARBADOS

Trustees and corporations having money invested in plantations may consent to a contract between owner of the plantation and factory respectively

8. It shall be lawful for any trustee, corporation, or society, having money subject to the trust belonging to the corporation or society (as the case may be) invested on security on or over any plantations to consent to any such contract as aforesaid being made between the owners or owner or persons beneficially interested in such plantation, and the proprietors of such co-operative factory as aforesaid, and the responsibility of such trustees or trustee, corporation or society shall not be increased by reason of their having given such consent.

Contract executed under the provisions of this Act shall run with the land.

9. When any contract such as is indicated in section four of this Act has been entered into between the owners and others beneficially interested in a plantation with the consent of the incumbrancers thereon (if any) on the one part, and the owners of any co-operative factory on the other, or has been executed under the provisions of this Act, the burden and benefit of such contract shall run with the land; and it shall be binding and enjoyed by all and every person and persons who shall thereafter in any way acquire any estate or interest in the said plantation.

The owners of a co-operative factory may lay tramways both across public roads or lands intervening between the plantation of an owner who has made a contract as aforesaid and the factory

10. It shall be lawful for any company or person who shall be under any contract to erect a co-operative factory in this Island, to lay down tramways to facilitate the delivery of the canes to the factory, and such tramways may be constructed, subject to the provisions hereinafter mentioned on and across public roads, and, if any lands not owned by any of the persons who shall have entered into such contract as aforesaid, with

SESSION OF 1889-'90.

the owners of a factory should intervene between one or more of the plantations, whose owners have made such contract, and the said factory, it shall be lawful to construct such tramways subject to the provisions hereinafter mentioned across such intervening lands. Section two, sections six to fifteen (both included) sections thirty three, thirty four, thirty six, thirty eight and forty, and sections forty two to forty five (both included) of "The Bridgetown Tramways Company, Limited, Act, 1884," shall be incorporated with this Act and shall continue to be so incorporated notwithstanding that such Act may be subsequently repealed; and the tramways authorised by this Act on and across public roads, shall be constructed and maintained, subject and in accordance with the provisions, regulations, and restrictions contained in the said sections of the said Act, and the gauge of such tramways shall not exceed the limit fixed by section five of that Act, and the Commissioners of Roads shall in respect of such tramways, have the same powers as are conferred on them by sections twenty and twenty one of the said Act in respect of tramways constructed under its provisions. Sections thirty two to forty (both included,) forty five to ninety five (both included,) and one hundred and twenty four to one hundred and fifty one (both included,) and sections one hundred and seventy five, one hundred and seventy eight, one hundred and seventy nine, one hundred and eighty one, one hundred and eighty eight, one hundred and eighty nine, one hundred and ninety one, one hundred and ninety three, one hundred and ninety nine

Certain sections of
Bridgetown Tram-
ways Company
Limited, Act 1884,
to be incorporated
with this Act.

Certain sections
of the Barbados
Railway Company's
Act shall be incorpo-
rated in this Act.

LAWS OF BARBADOS

and two hundred and thirteen, of "The Barbados Railway Company's Act," shall be incorporated with this Act, and shall continue to be so incorporated, notwithstanding that such Act may be subsequently repealed, the word "tramway" being substituted for the word "railway;" and the tramways authorised by this Act across the lands of any plantation, shall be constructed subject to and in accordance with the provisions, regulations, and restrictions contained in the said sections of the said last mentioned Act, and the gauge of such tramways shall not exceed the limit mentioned in The Bridgetown Tramways Company, Limited, Act, 1884.

Gauge of the
Tramways.

Machinery and
other articles re-
quired for the first
factory and Tram-
ways under this Act
to be exempt from
duty.

11. The machinery of all descriptions imported to be used in the construction of the first co-operative factory to be erected under the provisions of this Act and in laying down tramways connected therewith, shall be exempted from all duties and imposts of every kind.

Repeal.

Repeal and sav-
ings.

12. The Acts mentioned in the schedule to this Act annexed are hereby repealed provided that this repeal shall not effect;

1. The past operation of the enactments hereby repealed nor anything done or suffered under the enactments hereby repealed; nor
2. any right, privilege, obligation or liability acquired, accrued, or incurred under the enactments hereby repealed;
3. any penalty, forfeiture, or punishment incurred in respect of any offence committed against the enactments hereby repealed;

SESSION OF 1889-'90.

4. any investigation, legal proceeding or remedy in respect of such right, privilege, obligation, liability, penalty, forfeiture, or punishment as aforesaid, and any such investigation, legal proceeding and remedy may be carried on as if this Act had not passed.

SCHEDULE.

Date of Act.	Title of Act.	Extent of Repeal.
2 July 1887	An Act to encourage and facilitate the establishment and working of co-operative sugar factories in this Island....	The whole Act.
25 April 1888...	An Act to amend "The Co-operative Factory Act 1887.".....	The whole Act.

LAWS OF BARBADOS

CAP. XV.

(Assented to 11th March 1890.)

BARBADOS.

A Bill entitled, An Act to consolidate the Acts relating to signal stations.

BE it enacted by the Governor, Council and Assembly of this Island, and by the authority of the same, as follows:—

Short title.

1. This Act may be cited as, "The Signal Stations Act 1890."

Vesting land in Executive Committee.

Signal Stations
vested in Executive
Committee.

2. All and every the buildings and lands belonging to, and connected with the several signal stations called Moncrieffe, Cotton Tower, Dover Fort, Grenade Hall, and Highgate, together with the rights, members, easements, and appurtenances to the same respectively belonging, and the signal station, and the signalmen's quarters at Gun Hill, with the land on which they stand, shall be and become and remain and continue vested in the Executive Committee.

Signal Stations. When used.

Signal Stations to
be used as such only
on special occasions.

3. The signal stations at Gun Hill, Moncrieffe, Cotton Tower, Dover Fort, Grenade Hall, and Highgate, shall henceforward be used as signal stations on such occasions only as the Governor-in-Executive Committee shall determine.

Repeal.

Repeal and sav-
ings.

4. The Acts mentioned in the schedule to this Act are hereby repealed; provided always that this repeal shall not affect;

SESSION OF 1889-'90.

1. The past operation of the enactments hereby repealed nor anything done or suffered under the enactments hereby repealed ; nor
 2. any right, privilege, obligation, or liability acquired, accrued, or incurred under the enactments hereby repealed ; nor
 3. any penalty, forfeiture, or punishment incurred in respect of any offence committed against the enactments hereby repealed ; nor
 4. any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture, or punishment as aforesaid, and any such investigation, legal proceeding and remedy may be carried on as if this Act had not passed.
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LA WS OF BARBADOS

SCHEDULE.

Date of Act.	Title of Act.	Extent of repeal.
29th November 1864.	An Act for vesting in the Commissioners appointed under the Act of the 10th November 1856, the buildings and lands of certain of the signal stations in this Island now vested in Her Majesty's Secretary-of-State for the War Department and for providing for the establishment and working of the same.....	The whole Act.
8th February 1887.	An Act to make provision for discontinuing the use of the signal stations as such, and pensioning the signal men.	Section two.

SESSION OF 1889-'90.

CAP. XVI.

(Assented to 11th March 1890.)

BARBADOS.

An Act to consolidate the Acts relating to the settlement of the poor and prevention of bastardy.

BE it enacted by the Governor, Council and Assembly of this Island and by the authority of the same as follows ;—

Short title.

1. This Act may be cited as "The Settlement of the Poor and Bastardy Act, 1890."

Short title

Settlement of poor.

2. No poor person shall be granted by any vestry or churchwarden any relief, schooling or medical aid in any parish to which he or she shall not belong, and have a settlement in, according to the rules of settlement herein laid down ; but it shall be lawful and the bounden duty of every churchwarden, overseer of poor, constable, police officer, and justice of every parish to apprehend all vagrants and beggars and to take them to any police magistrate, of the parish in which they are found, and the said police magistrate shall if such person is a pauper proceed to ascertain and fix the settlement of the said person (if he or she shall have no certificate of settlement) as hereafter laid down, and when ascertained shall dispose of the said pauper in his parish, or shall remove him or her by warrant directed to some constable, or in case of necessity, to any person who shall deliver him or her to the churchwarden of the parish.

When parochial relief to be refused to poor persons.

Churchwardens, police officers &c. to apprehend vagrants and beggars and to deal with them as herein provided.

LAWS OF BARBADOS

ish to which the said pauper shall be adjudged to belong, to be by him lodged in any almshouse or workhouse which may be established or hereafter be erected in the parish to which the said pauper shall belong, to be subject to such rules and discipline, and moderate labour, as shall be established, by the Guardians of such house, and approved by the Governor-in-Executive Committee.

Settlement of
poor by whom
be determined.

3. Whenever any question shall arise as to the settlement of any pauper in this Island, the churchwarden or overseer or guardian of the poor of any parish, where any such pauper shall be found, shall bring such question before the police magistrate, of the parish where such pauper shall be, in a summary manner; and such police magistrate shall proceed to take evidence and try and determine the question in a summary manner; and on deciding such question, the police magistrate shall send a certified copy of the proceedings to the churchwarden of the parish wherein the settlement is fixed within seven days, and if no appeal is made after twenty one days, shall cause such pauper to be removed to his proper parish by warrant under the hand of the police magistrate, directed to any sworn constable, who shall deliver such pauper to the almshouse of the proper parish; and the said churchwarden shall countersign the said certificate, and dispose of the said pauper as authorised by law; Provided always that the said police magistrate shall be guided in his decision by the following rules of settlement; namely,

Removal of paup-
pers to their proper
parishes.

Rules to be ob-
served by Police

- i. The place of birth; provided always that in case a woman hav-

SESSION OF 1889-'90.

ing a settlement in one parish shall be brought to bed in another, then the child so born shall follow the settlement of the mother, and the woman shall follow the settlement of her husband. Magistrate in determination settlement.

- ii. The parish in which such person shall have been last an apprentice for one year.
- iii. The last place where he or she shall have been an owner or renter for one year.

Appeal.

4. It shall be lawful for the churchwardens or overseers or guardians of the poor of the parishes respectively from or to which any pauper shall be transferred, or in which any pauper shall be declared entitled to a settlement, and the pauper himself or any other person whomsoever who shall think himself aggrieved by any decision, sentence, or judgment of any police magistrate, given under the authority of section three of this act to appeal therefrom to the Assistant Court of Appeal, in the same manner as is usual in other cases; and any person who shall desire to appeal to the said Assistant Court of Appeal shall make known such his intention to the police magistrate by whose decision he consider himself aggrieved within twenty one days after the pronouncing of the same, and shall also within the same time give to the churchwarden, overseer, or guardian of the poor of the parish in which such pauper shall be declared entitled to a settlement and to the churchwarden, overseer, or guardian of the poor, who may prefer any complaint either rela- Churchwardens overseers or guardians of the poor paupers and any person whomsoever aggrieved by any decision of Magistrate may appeal.

LAWS OF BARBADOS

ting to the government and ordering of the poor or the prevention of bastardy, or other the person making any such complaint, notice of such appeal, and the police magistrate from whose decision the appeal is made shall under a penalty of five pounds in case of default, within six days after receiving such notice, (unless the appellant shall in the meantime declare to the police magistrate his intention to abandon the said appeal), send in to the Clerk of the Assistant Court of Appeal a correct copy of the proceedings in the case appealed from, certified under his hand for the information of the Assistant Court of Appeal, and any such penalty as aforesaid shall be recovered as in the case of servants' wages and paid into the public treasury for the uses of the Island ; and upon such proceedings as aforesaid being lodged with the said Assistant Court of Appeal, the same proceedings shall be had and taken in respect of such appeal as is usual in appeals to the said Assistant Court of Appeal from the decision of the police magistrates ; provided always that in cases of appeal in bastardy whenever the order of the police magistrate shall be confirmed wholly or in part, the costs and charges for maintenance of any child shall be calculated from the birth of the child, and paid to the churchwarden of the parish in which such child shall be found, for the uses of the said child.

Maintenance of relations

Fathers, grand-fathers, mothers, and grand mothers if able compelled to 5. The fathers and grandfathers, mothers and grandmothers, and the children of any poor, old, lame, blind, impotent person, or

SESSION OF 1889-'90.

other poor person not able to work, being of sufficient ability to maintain the same, shall relieve and maintain, at their own charge and expense, such poor person, in such manner, and according to that rate, as by the police magistrate of the parish where such sufficient person shall dwell, shall be assessed, upon pain that every one of them shall forfeit a sum not exceeding twenty shillings for every month which they shall fail therein.

6. Every man who shall marry a woman, having a child or children at the time of such marriage, whether such child or children be legitimate or illegitimate, shall be liable to maintain such child or children as a part of his family, and shall be chargeable with all relief, or the cost price thereof, granted to or on account of such child or children, until such child or children shall respectively attain the age of sixteen, or until the death of the mother of such child or children; and such child or children shall for the purposes of this Act be deemed a part of such husband's family accordingly.

Husband to maintain wife's children if any, by a former marriage &c. till the age of sixteen or the mother's death.

Constable's fees

7. All constables or persons shall, for removal of paupers or other duties performed under this act, be entitled from the churchwarden of the parish complaining to the same fees as for executing warrants of the same distance, and the said churchwarden shall be allowed the same on the settlement of his account with the vestry.

Constables to be paid their fees by the Churchwarden for duties done under this Act.

Settlement of a bastard child.

8. Every child which shall be born a

Bastards, settle-

LAWS OF BARBADOS

ment and provisions
respecting.

bastard shall have and follow the settlement of the mother of such child, until such child shall attain the age of sixteen years, or shall acquire a settlement in its own right; and such mother, so long as she shall be unmarried, or a widow, shall be bound to maintain such child as a part of her family, until such child shall attain the age of sixteen years, and all relief granted to such child, while under that age, shall be considered as granted to such mother; provided always that such liability of such mother shall cease on the marriage of such child, if a female.

Orders and penalties.

Orders for pay-
ment of money &c.
to be enforced as
in case of servants
wages.

9. Orders made for payment of money and penalties incurred under the preceding sections shall be enforced, levied, and raised as in the case of servants' wages.

Maintenance of bastard children.

Putative father
to be summoned by
Police Magistrate
on application of
bastard's mother.

10. Any single woman who either before the passing of this Act shall have been or shall be delivered of a bastard child and shall be unable to provide for its maintenance may make application to the police magistrate of the parish in which she may reside for a summons against the alleged father of the child, and such magistrate shall thereupon issue his summons to the person alleged to be the father of such child to appear before him on a day to be named in the summons.

Magistrate may
make an order on
the putative father
for the maintenance
of bastard child.

11. On the appearance of the person so summoned, or on proof that the summons was duly served, or left at his last known place of abode within a reasonable time before the hearing, the magistrate shall hear the evi-

SESSION OF 1889-'90.

dence of the mother of such child and such other evidence as may be adduced on behalf of the complainant, and also the evidence adduced by or on behalf of the alleged father of the child, and if the evidence of the mother be corroborated in some material particular by other evidence to the satisfaction of the magistrate, he may adjudge the person summoned to be the putative father of such bastard child, and make an order on the putative father for the payment to the mother of the bastard child or to any person who may be appointed to have the custody of such child under the provisions of this act of a sum of money, weekly or otherwise, not exceeding at the rate of five shillings a week for the maintenance of the child, to be recovered as in the case of servants wages.

12. All money payable under any order as aforesaid shall be due and payable to the mother of the bastard child so long as she lives and is of sound mind, and is not in prison, and maintains the child, and after the death of the mother of such child, or while she is of unsound mind or confined in prison, or if it be shown to the satisfaction of the magistrate that she does not maintain the child, any police magistrate may, if he thinks fit, from time to time appoint some person who with his own consent shall have the custody of such child during the time that it is not chargeable to any parish, and such magistrate may revoke the appointment of such person and appoint another person in his stead, and every person so appointed to have the custody of such child, shall, so long as such child is not chargeable to any parish, be empowered to make appli-

Money paid under such order to be paid to the mother or to a person appointed by the magistrate.

LAWS OF BARBADOS

cation for the recovery of all payments becoming due under the order of court in the same manner as the mother might have done.

Duration of Magistrate's order.

13. No order made under this act for the maintenance or for contribution towards the relief of any such child made in pursuance of this act shall, except for the purpose of recovering money previously due under such order, be of any force or validity after the child in respect to whom it was made has attained the age of twelve years or after the death of such child.

Payments for bastard children chargeable on any parish

14. When and so often as any bastard child for whose maintenance an order has been made by a police magistrate on the application of the mother shall become chargeable to any parish, the churchwarden, a guardian or inspector of poor of the parish in which such child shall be so chargeable shall be entitled to receive on behalf of the parish and to recover in the same manner as the mother might have done, the payments then due or becoming due under the said order as may accrue during the period for which such child is chargeable.

Churchwarden, guardian or inspector of poor may recover cost of relief of bastard children in certain cases.

15. When a bastard child becomes chargeable to a parish, the churchwarden, a guardian, or the inspector of poor of such parish may apply to the police magistrate of the parish, who shall summon the man alleged to be the father of the child to shew cause why an order should not be made upon him to contribute towards the relief of the child, and upon his appearance or on proof that the summons was duly served upon him, or left at his last place of abode within a reasonable time before the hearing, such

SESSION OF 1889-'90.

police magistrate shall hear the evidence of the mother and such other evidence as may be produced and shall also hear any evidence tendered by or on behalf of the person alleged to be the father, and if the evidence of the mother be corroborated in some material particular by other evidence to the satisfaction of the police magistrate, he may adjudge the man to be the putative father of such bastard child, and may proceed to make an order upon such putative father to pay to the guardians of the poor of the parish, such sum, weekly or otherwise, not exceeding at the rate of five shillings per week, towards the relief of the child during such time as the child shall continue or afterwards be chargeable as shall appear to him to be proper; and any payment so ordered to be made shall be recoverable by the churchwarden, a guardian, or the inspector of poor in the same manner as under an order obtained by the mother; provided as follows;

- i. No payments shall be recoverable under such order except in respect of the time during which the child is actually in receipt of relief.
- ii. An order under this section shall not be made, and if made, shall cease, except for the recovery of arrears, when the mother of the child has obtained an order under this act.
- iii. An order under this section shall not be made, and if made shall cease if and when the mother of the child is in a position to maintain such child.

LAWS OF BARBADOS

- iv. Nothing in this section shall relieve the mother of a bastard child of her liability to maintain such child.

Punishment of mother or putative father for the desertion of bastard children becoming chargeable on a parish

16. If the mother, or person adjudged to be the putative father of a bastard child, shall desert such child or quit the colony without providing for its maintenance and it shall become chargeable to the parish it shall be lawful for the churchwarden, a guardian, or the inspector of poor, during the time that they or either of them shall be liable to contribute to the support of such child, to attach by warrant under the hand of the police magistrate of the parish to which such child has become chargeable, so much of the goods, chattels and effects of such mother or putative father as shall when sold, realize sufficient to provide for such child; and in case the churchwarden, guardian, or inspector of poor can find no goods or chattels, it shall be lawful for the magistrate to issue his warrant for the apprehension of such mother or putative father and to commit him or her to prison, for any time not exceeding six months with hard labour; provided always that if such mother or putative father can find sufficient security for the maintenance of such child for such time as the magistrate may determine, and the costs of the proceedings, such mother or putative father shall be released.

Order on putative father may be varied or annulled.

Review of orders for maintenance on application of putative father.

17. The putative father of any bastard child on whom an order for the maintenance of such child has been made at the instance either of the mother or churchwarden, guar-

SESSION OF 1889-'90.

dian, or inspector of poor, may apply to the police magistrate who made such order or his successor in office, to review such order, and such police magistrate, shall review such order, and if upon such review such police magistrate shall be satisfied that the mother of such bastard child is able either wholly or in part to maintain such child, he shall annul or vary his order accordingly.

Repeal.

18. The Acts mentioned in the schedule to this Act annexed are hereby repealed; provided that such repeal shall not affect; Repeal and savings.

1. The past operation of the enactments hereby repealed nor any thing done or suffered under the enactments hereby repealed; nor
2. any right, privilege, obligation or liability acquired, accrued, or incurred under the enactments hereby repealed; nor
3. any penalty, forfeiture, or punishment incurred in respect of any offence committed against the enactments hereby repealed; nor
4. any investigation, legal proceeding or remedy in respect of such right, privilege, obligation, liability, penalty, forfeiture, or punishment as aforesaid, and any such investigation, legal proceeding and remedy may be carried on as if this Act had not passed.
5. Any enactments in which such enactment have been applied, incorporated or referred to.

LAWS OF BARBADOS

SCHEDULE.

Date of Act.	Title of Act.	Extent of Repeal
6th June 1838.	An Act for the government and better ordering of the poor of this Island, and the prevention of bastardy.....	The whole Act..
21st August 1851.	An Act to amend the Act for the government of the poor and the prevention of bastardy, 1838	The whole Act.
29th May 1883.	An Act to alter and amend the law relating to the government and better ordering of the poor in this Island, and for the prevention of bastardy.....	The whole Act.
9th February 1888.	An Act to amend the law relating to the maintenance of bastard children	The whole Act.

SESSION OF 1889-'90.

CAP. XVII.

(Assented to 11th March 1890.)

BARBADOS.

An Act to consolidate the Acts relating to the sale of goods distrained or taken under executions issuing from the inferior courts.

BE it enacted by the Governor, Council and Assembly of this Island, and by the authority of the same, as follows:—

Short title.

1. This Act may be cited as “The District Auctioneers Act, 1890.” Short title.

Appointment of auctioneers.

2. For the purpose of selling goods and chattels distrained on and effects levied on by police officers or constables as aforesaid, it shall be lawful for the Governor on the passing of this Act and thereafter as vacancies may occur, to appoint an auctioneer for each district. The Governor may appoint an auctioneer for each Police District.

3. Every auctioneer shall enter into bond to Her Majesty, her heirs and successors, in the case of the auctioneer for the City of Bridgetown and District “A,” himself in the sum of one hundred pounds, and two sureties, to be approved of by the Governor-in-Executive Committee, in the sum of fifty pounds each, and in the case of the auctioneers of the other districts, himself in the sum of fifty pounds and two sureties, to be approved of by the Governor-in-Executive Committee, in the sum of twenty five pounds each, for the faithful discharge of the duties of his office, and for the due Each Auctioneer to enter into bond.

LAWS OF BARBADOS

disposal of all money for which he may sell any goods.

Account books.

Auctioneer to use counterfoil books for purposes of sale.

4. Every auctioneer appointed under this Act shall be supplied with counterfoil books properly numbered, to be issued from time to time from the Auditor General's Office in a form to be prescribed by the Governor, and shall upon the completion of every sale hand to the owner of the goods distrained on a copy of the counterfoil duly filled up and signed by him, and shall enter particulars of each sale, and of all receipts and payments on account of the sale affected by him under this Act in a book to be kept by him in a form to be prescribed by the Governor; and the said books and the blocks of the counterfoils, shall at all times be subject to the inspection of the Auditor General.

Notice to tenant of distress.

Notice to be given of goods distrained on

5. Whenever any goods or chattels shall be distrained on for any rents or rates or taxes, the person levying such distress shall, within twenty four hours after, either leave at the chief mansion house or other most notorious place on the premises on which the said goods or chattels are distrained on a notice in the form prescribed by schedule B to this Act annexed; and any distress which may be levied without notice being given as aforesaid shall be and the same is hereby declared to be illegal.

Return of distress or levy

Writ officers &c. distraining on goods or taking them in execution to make return thereof to

6. Every writ officer, constable or bailiff who shall make a distress or levy an execution on any goods or chattels, shall make a return of such distress or levy and the goods

SESSION OF 1889-'90.

taken to the auctioneer of the district where- the District Auc-
 in the same are distrained or levied within tioneer.
 three days after he shall have made such
 distress or levy, and after such return he
 shall not receive any such money, or security
 for money that may be tendered in satis-
 faction of such distress or levy, or deliver up
 the goods and chattels which he shall have
 taken in distress or execution to any person
 except by order of such auctioneer.

7. Whoever shall infringe the provisions
 of the last preceding section or either of
 them shall be liable to a penalty not exceeding
 five pounds to be recovered in a summary
 manner before a police magistrate on the
 complaint of any person.

Sale of goods taken in execution.

8. When any goods and chattels shall be Time and place
 distrained for the recovery of any rent or of sale of goods dis-
 rates or taxes or shall be taken by virtue of trained on or taken
 executions issuing from the Police Magis- in execution.
 trates, Judges of the Petty Debt Courts, or
 Judges of the Assistant Court of Appeal, the
 same shall be sold not less than ten days
 from the service of the notice in the form
 prescribed by schedule B to this Act annexed
 by the auctioneer of the district in which
 such distress or execution shall have been
 made, and in the case of goods and chattels
 which can be removed, the same shall be
 sold by such auctioneer at the District
 Police Station, save and except goods and
 chattels distrained or levied on in the City
 of Bridgetown or within the limits of Dis-
 trict A. which goods and chattels shall be
 sold in the public market of the City of
 Bridgetown, and the removal of such goods
 and chattels and of such effects shall be at

LAWS OF BARBADOS

the cost of the person on whom the distress or execution was made; provided always that in the case of boarded and shingled houses the same shall be sold on the spot where the same were taken in distress or execution.

Notice of sale.

Auctioneer to set up notices relating to sale of goods.

9. It shall be the duty of every auctioneer appointed under this Act to affix seven days at least before the day of sale a notice in writing specifying the description of the goods and chattels distrained or effects levied on, the person from whom the same were taken, and the hour within which the sale will take place at the police stations where the same are to be sold, or in the case of houses to be sold at places other than the public market or at the police stations, at the police station, or in the case of Bridgetown and District A at the public market, and in the case of boarded and shingled houses distrained or levied on he shall affix a copy of such notice not only at the police station but also on such boarded and shingled houses for the immediate information of the persons in the neighbourhood thereof.

Day of sale.

Day on which sales are to be made.

10. Monday in every week throughout the year, shall be the day of sale at the public market in the City of Bridgetown and at the police stations of the several districts of this Island, for all removable goods and chattels distrained or levied on as aforesaid, except when Christmas Day shall fall on a Monday, or when Monday shall be a Bank Holiday, or shall be set apart by Proclamation for divine worship, in which case, the

SESSION OF 1889-'90.

sale day shall be the Tuesday of that week and in the case of houses to be sold on the spot, the same shall be sold on a day to be fixed by the auctioneer, which shall not be less in the case of distraint for rent, or a levy under an execution, of ten days, and in the case of distress for rates, of not less than seven days.

Postponement of sale.

11. Where the auctioneer is unable to obtain a reasonable price for any article exposed for sale, he may postpone the sale until the next sale day; and in case of any such postponement, he shall renew the notices required by section nine of this Act **Auctioneer may postpone sale.**

Auctioneer's fees.

12. The auctioneer shall be paid a commission of five per cent. on the amount realised by the sale of the goods and chattels distrained on, and of the effects levied on, and shall be entitled to receive as costs and expenses in addition to his commission for selling the sum of one shilling for each notice of sale set up by him at the district police station, public market or on any boarded and shingled house respectively, and also the travelling expenses at the rate of one shilling per mile one way incurred by him in going to the spot where a boarded and shingled house may be situated for the purpose of selling it; provided always that if the auctioneer shall have attended at the spot on the day of sale to sell a house, and the sale is stayed by payment of the debt and costs then incurred, the auctioneer shall be entitled to receive an additional fee of two shillings and **Fees &c. to which Auctioneer is entitled.**

LAWS OF BARBADOS

sixpence, and until the costs and expenses attending a distraint or levy shall be paid off, the auctioneer shall be at liberty to proceed to a sale of the goods and chattels.

Constable's fees.

Person against whom a warrant of distress for rent rates or taxes is issued to pay the fee of 3 shillings to the Constable &c., notwithstanding tender of amount before distraint is made or goods distrained sold.

13. (1) In all cases where a warrant of distress is issued for the recovery of rent or rates or taxes the person against whom the same is issued shall notwithstanding he may tender the amount sought to be recovered before any distraint is made or before any goods or chattels distrained shall be sold by the auctioneer appointed under the provisions of this Act, be liable to pay to the constable or person entrusted with the execution of such warrant the like sum of three shillings as he would have been entitled to receive from such auctioneer if such constable or person had distrained the goods and chattels of the person against whom such warrant is issued, and the same had been sold by such auctioneer.

(2) If the said sum of three shillings shall not be tendered with the amount sought to be recovered, the constable or other person entrusted with the execution of the warrant, may refuse the amount tendered, and proceed to execute the warrant.

Distribution of proceeds of sale.

Distribution of proceeds of sale.

14. The auctioneer shall, out of the proceeds arising from the sale of any goods and chattels distrained on or effects levied on, in the first place deduct the commission costs and expenses hereinbefore allowed him, and pay to the police officer, constable or person who distrained or levied, the costs of any removal of such goods, chattels or

SESSION OF 1889-'90.

effects, and also in the case of live stock, the expenses of keeping the same, pending the sale thereof, (such expenses not to exceed those specified in schedule A of this Act.) In the case of a sale of goods and chattels distrained on he shall within seven days after the sale, further pay to the constable or other person who levied the distress a fee of three shillings, and to the landlord the amount distrained for, and the overplus (if any,) he shall pay to the owner. In the case of a sale of effects levied on under an execution, he shall within seven days after the sale pay into the court out of which the same shall have issued the amount stated on the writ of execution together with the charges for issuing and levying the same, and the overplus, (if any), he shall pay to the owner.

Undistributed proceeds.

15. Whenever the auctioneer appointed under this Act shall not have applied in the manner provided for by the last preceding section of this Act the moneys in his hands arising from the sale of any goods and chattels distrained or effects levied on, or any part of such moneys for the space of twenty one days next after such sale, or if he shall be unable from any cause whatever to so apply the same he shall immediately after the expiration of such period of twenty one days pay such moneys into the public treasury and forward the receipt of the Treasurer of the Island for the same to the Auditor General when the next audit of his accounts is to be made.

16. Any person entitled to any moneys so paid into the public treasury as aforesaid

Proceeds of sale if undistributed by the Auctioneer for 21 days after sale to be paid into the public treasury.

Payment out of public treasury of

LAWS OF BARBADOS

money paid in under and desiring to obtain the same shall apply last preceding section. therefor to the Governor-in-Executive Committee who is hereby authorized to direct payment thereof to such person or persons as the Governor-in-Executive Committee may deem entitled thereto.

*Penalty.***Penal section.**

17. In the event of any auctioneer appointed under this Act failing to comply with the provisions of sections fourteen and fifteen of this Act, he shall in addition to any other remedy which can be brought against him on the complaint of any person, incur a penalty not exceeding five pounds to be recovered before the police magistrate of his district and to be levied and raised as in the case of servants' wages.

*Repeal.***Repeal and savings.**

18. The Acts mentioned in schedule "C" to this Act are hereby repealed; provided that this repeal shall not affect;

1. The past operation of the enactments hereby repealed nor anything done or suffered under the enactments hereby repealed; nor
2. any right, privilege, obligation, or liability acquired, accrued, or incurred under the enactments hereby repealed; nor
3. any penalty, forfeiture, or punishment incurred in respect of any offence committed against the enactments, hereby repealed; nor
4. any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid,

SESSION OF 1889-'90.

and any such investigation, legal proceeding and remedy may be carried on as if this Act had not passed.

SCHEDULE A.

Charges for the keep of live stock per diem.

	£	s.	d.
Horses or mules each.....	1	0	
Cattl\ or asses, each.....		6	
Hogs, sheep or goats, each...		3	

SCHEDULE B.

*Notice of Distress [for rent or rates
or &c., (as the case may be.)]*

To C. D. and all others whom it may concern

Take notice that I. R. S. as agent of and
for A. B., Esquire, [your landlord, or Parochial Treasurer of , or (as the case

LAWS OF BARBADOS

may be)] have this day distrained on the premises [in your occupation or possession, (if the fact be so)] named in the inventory hereunto annexed, the [cattle] goods and chattels mentioned in the said inventory, for £ being the amount due to the said A. B. on the day of for [rent of said premises : or rates or (as the case may be)] : And unless you pay the said sum of £ with the charges of distraining for the same within [seven (in case of rates) ten (in the case of rent)] days from the service hereof, the said [cattle] goods and chattels will be sold according to law. [*If live stock or goods are removed mention the place thus,* "And take notice that the said [cattle or goods] have been removed to and are now at ."]

Dated this day of 18 .

R. S.

Agent of A. B.

[or A. B. of]

Inventory of goods and chattels taken (To be filled in with particulars above referred to.

SESSION OF 1889-'90.

SCHEDULE C.

Date of Act.	Title of Act.	Extent of Repeal.
26th July 1864...	An Act to regulate the levying of distress for rates, and the fees of constables for same.....	The whole Act.
31st August 1881	An Act to amend the law with respect to the sale of goods and chattels distrained on, and of effects arising out of levies made by virtue of executions issuing from the Police Magistrates, Judges of the Petty Debt Court and Judges of the Assistant Court of Appeal.....	The whole Act.
20th Novr. 1886...	An Act to amend the Act of the thirty first day of August one thousand eight hundred and eighty one, 'entitled, "An Act to amend the law relating to the sale of goods and chattels distrained on, and of effects arising out of levies made by virtue of executions issuing from the Police Magistrates, Judges of the Petty Debt Courts, and Judges of the Assistant Court of Appeal."	The whole Act.
20th April 1888...	An Act to amend "The Distraint and Levy on chattels by Constables and Police Officers Act, 1881, Amendment Act, 1886.	The whole Act.

LAWS OF BARBADOS

CAP. XVIII.

(Assented to 11th March 1890.)

BARBADOS.

An Act to consolidate and amend the Acts relating to the General Agricultural Society and Reid School of Practical Chemistry.

BE it enacted, by the Governor, Council, and Assembly of this Island, and by the authority of the same, as follows;—

Short title.

1. This Act may be cited as “The Agricultural Society’s Act, 1896.”

The members of the General Agricultural Society and Reid School of Practical Chemistry declared to be one body politic and corporate &c.

2. The present and all future members of the General Agricultural Society and Reid School of Practical Chemistry shall be, and they are hereby declared and adjudged to be, one body politic and corporate, by the name of “The Agricultural Society” and by that name shall and may have perpetual succession, and shall and may sue and be sued in all courts and before all magistrates, and others, in all actions, suits, complaints, matters and causes whatsoever, and shall and may have a common seal, and the same may vary and alter at their pleasure; and by the name aforesaid shall be in law capable of holding all such estate, real and personal, as hath been already acquired by them, and of having, taking, and holding forever hereafter, other estate, real and personal, either by purchase, gift, devise, or legacy, for the public use and benefit of the said society; provided nevertheless, that such real estate shall not exceed in value at any time the sum of two thousand pounds.

SESSION OF 1889-'90.

3. The members of the said society, or any five of them, shall have full power and authority to make, ordain, establish, and put into execution any bye-laws, ordinances, orders, rules and regulations for and concerning the nomination, election, suspension, removal, and expulsion of members and officers, and the management, collection, and disposal of the funds, moneys or estate belonging to the said society, and for conducting and regulating the business affairs and concerns of the said society, and relative to any other matter or thing whatsoever which may in any wise concern the good government of the society, and the same from time to time to change, repeal, or vary as may seem proper : provided always, that no such bye-laws, ordinances, orders, rules, and regulations be in any wise repugnant or contrary to her Majesty's prerogative royal, or to the laws of Great Britain or this Island ; and that the same shall not in any manner affect any other person or persons than those who are or may become members of the said society ; and it shall be lawful for the members of the said society, or any five of them, to fix and appoint in all or any of such bye-laws, ordinances, orders, rules, and regulations, all or any reasonable and adequate fines, forfeitures, and penalties for the non-observance, non-performance, or breach thereof, and for enforcing the due observance thereof.

4. The sum of two hundred and fifty pounds is hereby granted to the said Society to be paid to them in every alternate year commencing from the present year one thousand eight hundred and ninety. And the further sum of one hundred and fifty

£250 to be paid the Society every alternate year from 1890 and £150 every alternate year from 1891.

LAWS OF BARBADOS

pounds is hereby granted to the said Society to be paid to them in every alternate year commencing from the year one thousand eight hundred and ninety one.

The Society to account each year for the grant of the previous year.

5. The said Society shall make an annual statement to the Legislature of the appropriation of the grant made to them in the preceding section hereof in every year, previous to drawing the grant payable for the next following year.

How payments under this Act are to be made.

6. All payments to be made under this Act shall from time to time be made on the warrants of the Governor-in-Executive Committee.

Fines incurred by breach of bye-laws to be recoverable in a summary manner.

7. All fines, forfeitures, and penalties to be incurred by virtue of any bye-law, ordinance, order, rule, or regulation to be made ordained and established as aforesaid, and all sums to become due to the said society from any of the members of the said society, shall be sued for and recovered in a summary way before any police magistrate on the complaint of any member of the said society, as in the case of servants' wages; and all and every the police magistrates, are hereby authorized and required to take cognizance thereof accordingly; and all fines, forfeitures, and penalties when received, or the overplus thereof, after deducting necessary charges, shall be paid into the hands of the treasurer of the said society for the time being, for the use of the said society.

Act to be deemed a public Act.

8. This Act shall be deemed and taken to be a public Act and shall be judicially taken notice of as such by all judges, police magistrates, and other persons, without being specially pleaded.

SESSION OF 1889-'90.

Repeal.

9. The Acts mentioned in the schedule to **Repeal** and **sav-**
this Act annexed are hereby repealed ; pro- **ings.**
vided that this repeal shall not affect ;

1. The past operation of the enactments hereby repealed nor anything done or suffered under the enactments hereby repealed ; nor
 2. any right, privilege, obligation, or liability acquired, accrued, or incurred under the enactments hereby repealed ; nor
 3. any penalty, forfeiture, or punishment incurred in respect of any offence committed against the enactments hereby repealed ; nor
 4. any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid, and any such investigation, legal proceeding and remedy may be carried on as if this Act had not passed.
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LAWS OF BARBADOS

SCHEDULE.

Date of Act.	Title of Act.	Extent of repeal.
12th July 1856...	An Act to incorporate the General Agricultural Society and Reid School of Practical Chemistry.	The whole Act.
10th January 1889.	An Act to make an annual grant to the General Agricultural Society and Reid School of Practical Chemistry.	
		The whole Act

CAP. XIX.

(Assented to 11th March 1890.)

BARBADOS.

An Act to consolidate the Acts relating to bills of exchange, and cheques.

BE it enacted by the Governor, Council, and Assembly of this Island and by the authority of the same, as follows;—

Short title.

1. This Act may be cited as "The Bills of Exchange Act, 1890."

Bills payable on Holy Days.

Good Friday &c.. 2. Good Friday, Christmas Day, and every

SESSION OF 1889-'90.

day appointed by proclamation for a day of solemn fast or day of thanksgiving is and shall, for all other purposes whatsoever, as regards bills of exchange and promissory notes, be treated and considered as the Lord's Day, commonly called Sunday.

3. In all cases where bills of exchange or promissory notes shall become due and payable on Good Friday, Christmas Day, or on any day of fast or day of thanksgiving so appointed by proclamation the same shall be payable on the day next preceding Good Friday, Christmas Day or such day of fast or day of thanksgiving, and, in case of non-payment, may not be noted and protested on such preceding day.

4. In all cases where bills of exchange or promissory notes shall be payable either under or by virtue of this Act or otherwise on the day preceding any Good Friday, or on the day preceding any Christmas Day, or day of fast, or day of thanksgiving, it shall not be necessary for the holder or holders of such bills of exchange and promissory notes to give notice of the dishonour thereof until the day next after such Good Friday, Christmas Day, or day of fast, or day of thanksgiving and whensoever Christmas Day, or such day of fast, or day of thanksgiving, shall fall on a Monday it shall not be necessary for the holder or holders of such bills of exchange or promissory notes as shall be payable on the preceding Saturday to give notice of the dishonour thereof until the Tuesday next after such Christmas Day or after such day of fast or day of thanksgiving respectively, and every such notice given as aforesaid

as regards bills of exchange &c., to be treated as Sunday.

Bills of exchange &c., becoming due on Good Friday &c., shall be payable on the preceding day.

Notice of dishonour of bills of exchange &c., becoming due on the day preceding Good Friday &c., may be given on the day after.

LAWS OF BARBADOS

shall be valid and effectual to all intents and purposes.

Bills payable on bank holidays.

Bills of exchange &c, due on any bank holiday may be paid or protested next day. 5. All bills of exchange and promissory notes which are due and payable on any bank holiday shall be payable, and, when necessary in case of non-payment may be noted and protested on the next following day, and not on such bank holiday; and any such noting or protest shall be as valid as if made on the day on which the bill or note was made due and payable; and for all the purposes of this Act the day next following a bank holiday shall mean the next following day, on which a bill of exchange may be lawfully noted or protested.

Provisions where day of notice of dishonour or presentation falls on a bank holiday. 6. When the day on which any notice of dishonour of an unpaid bill of exchange or promissory note, should be given, or when the day on which a bill of exchange or promissory note should be presented or received for acceptance, or accepted or forwarded to any referee or referees, is a bank holiday, such notice of dishonour shall be given, and such bill of exchange or promissory note shall be presented or forwarded on the day next following such bank holiday.

Cheques payable to order.

Protection to banker paying cheque or draft on demand payable to order which purports to be duly endorsed. 7. When a cheque or draft on demand for a sum of money payable to order is drawn on a banker, and the banker on whom it is drawn pays the cheque or draft on demand in good faith and in the ordinary course of business, it shall not be incumbent on the banker to shew that the indorsement of the payee or any subsequent indorsement was made by or under the authority of the

SESSION OF 1889-'90.

person whose indorsement it purports to be and the banker shall be deemed to have paid the cheque or draft on demand in due course, although such indorsement has been forged or made without authority.

The dollar

8. In all payments to be made in any part of this Island, tender of payment in the Spanish, Mexican, or Columbian silver coins called dollars, shall not be deemed and taken as a legal tender. Demonetization of dollar.

9. Where in any contract, undertaking or agreement, for the payment of money entered into before the passing of this Act, any sum or amount is expressed in dollars, the term dollar shall be deemed and taken to mean the sum of four shillings and two pence of British money. Dollar to mean four shillings and two pence.

Repeal.

10. The Acts mentioned in the schedule to this Act annexed are hereby repealed, provided that this repeal shall not affect ; Repeal and savings.

1. The past operation of the enactments hereby repealed nor anything done or suffered under the enactments hereby repealed ; nor
2. any right, privilege, obligation, or liability, acquired, accrued or incurred under the enactments hereby repealed ; nor
3. any penalty, forfeiture, or punishment incurred in respect of any offence committed against the enactments hereby repealed ; nor
4. any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture, or punishment as aforesaid and any such investigations, legal proceeding and remedy may be carried on as if this Act had not passed.

LAWS OF BARBADOS

SCHEDULE.

Date of Act.	Title of Act.	Extent of Repeal.
1st May 1861.	An Act declaring the law in relation to bills of exchange and promissory notes becoming payable on Good Friday, Christmas Day, or on days appointed by proclamation for solemn fasts or days of thanksgiving.....	The whole Act.
21st October 1873.	An Act to make provision for Bank Holidays, and respecting obligations to make payments and do other acts on such Bank Holidays.....	Section 1 from words "and all bills of exchange" in line 4 to end of said section.
26th March 1879.	An Act to declare the Spanish, Mexican, and Columbian dollar not a legal tender in this Island.....	Section 2.
30th December 1887.	An Act to regulate the payment of cheques and drafts on demand payable to order.....	The whole Act.
		The whole Act.

SESSION OF 1889-'90,

CAP. XX.

(Assented to 17th April 1890.)

BARBADOS.

An Act to extend the time within which the vestry of the parish of Saint Michael may lay rates for the current parochial year, and to authorise the vestry to raise a loan to enable them to carry on the affairs of the parish until such rates shall be collected.

WHEREAS the vestry of the parish of Saint Michael have by their humble petition to the Legislature of this Island prayed, in effect, that the time within which they may lay rates for the current parochial year (that is, the year ending the twenty fourth day of March one thousand eight hundred and ninety one) may be extended ; and that they may be authorised to raise a loan of three thousand pounds to enable them to carry on the affairs of the parish until such rates shall be collected ; And Whereas it is deemed expedient, for the reasons stated in the said petition, to grant the prayer thereof ; Be it therefore enacted by the Governor, Council and Assembly of this Island and by the authority of the same, as follows ;

1. This Act may be cited as "The Saint Michael's Parish Rating and Loan Act, 1890."

Short Title.

2. (1.) The time limited by law within which the vestry of the parish of Saint Michael may make and set rates for the current parochial year, under the authority of the several Acts of this Island authorising them to lay rates, is hereby extended to

Vestry of St. Michael authorised to lay the rates for the current year at any time not later than 31st May 1890.

LAWS OF BARBADOS

the thirty first day of May one thousand eight hundred and ninety.

(2.) All rates to be made and set by the said vestry shall be published, be subject to objection, confirmation, or amendment, and be collected in the usual manner.

The said Vestry authorised to raise a sum not exceeding £3000 for parochial purposes.

3. (1) For the purpose of carrying on the affairs of the parish until rates for the current parochial year shall be collected, it shall be lawful for the vestry of the parish of Saint Michael, and they are hereby authorised, from time to time as they may require the same, but not later than three months from the date of the passing of this Act to borrow from any person or persons, bodies politic or corporate willing to lend them the same, a sum or sums of money not exceeding three thousand pounds.

Sums borrowed and interest to be a charge on the rates of the current parochial year.

(2) The money so borrowed, with interest thereon at a rate not exceeding six pounds per centum per annum, shall be repaid from the rates of the said parish, to be laid and collected for the current parochial year, and shall be a charge on the said rates until paid, and shall rank next after the money borrowed under The St. Michael's Central Alms House Act, 1880; The Saint Michael's Central Alms House Act, 1880, Amendment Act, 1884; The Saint Michael's Parish (Barbados) Loan Act, 1886, and The Saint Michael's Parish (Barbados) Loan Act, 1889, respectively, and all other sums already made charges on the rates of the said parish by Legislative enactment; and prior to all payments to be made to the employees of the vestry of the said parish or on account of the said parish.

SESSION OF 1889-'90

4. (1) When any sum or sums shall be borrowed as aforesaid, the chairman, churchwarden and senior member of the said vestry in vestry assembled, shall give to the persons, bodies politic or corporate from whom any sum or sums may be borrowed, certificates showing the amount borrowed, and the names of the persons (with their proper additions) bodies politic or corporate from whom borrowed, with the rate of interest thereon, and appointing the dates and the place of payment, which dates and place of payment are to be at the Parochial Treasurer's Office in the said parish six months next after the dates of such certificates.

Certificates of sums borrowed, how and by whom given.

(2.) Such certificates shall not altogether exceed thirty, and shall be numbered and dated, and no certificate shall be issued for less than the sum of one hundred pounds.

Number, and amount of each of such certificates.

(3) The certificate shall be made in the words or to the effect in schedule A to this Act.

Form of certificate.

5. (1) An entry or memorial of every such certificate containing the number and date thereof, and the names of the persons (with their proper additions) bodies politic or corporate to whom the same shall have been made, and of the sum borrowed, together with the rate of interest to be paid thereon, and the date on which the sum mentioned in the said certificate is appointed to be paid, shall within fourteen days after the date thereof be entered in a book to be kept for that purpose by the Parochial Treasurer of the said parish, which book may be perused at all convenient hours of the day by any person interested in any certificate

Entry of particulars of certificates to be made.

LAWS OF BARBADOS

upon payment of a fee of sixpence to the Parochial Treasurer.

Power of transfer. (2) All persons bodies politic or corporate to whom any such certificate shall have been issued as aforesaid, or who shall become entitled to the money due thereon, may from time to time transfer their respective rights and interests therein to any other person bodies politic or corporate.

Form of transfer. (3) Any transfer thereof shall be in the words or to the effect in schedule B to this Act, and must be attested by two witnesses.

Transfer to be produced to Parochial Treasurer. (4) Every such transfer shall be produced to the Parochial Treasurer of the said parish who shall cause an entry or memorial to be made thereof in the same manner as of the original certificate, for which entry or memorial the Parochial Treasurer shall be paid a fee of two shillings and sixpence.

After entry there of assignee entitled to full benefit of certificate. (5) After such entry made, every transfer shall entitle such assignee or his executors administrators and assigns to the full benefit of the certificate and payment thereof, and it shall not be in the power of any person bodies politic or corporate who shall have made such transfer, to make void, release or discharge the transfer, or any sum of money then due or owing thereon or thereby secured, or any part thereof.

Transfer not valid until noted. (6) No transfer of any certificate issued under the authority of this Act, shall be of any force or validity until the same shall have been duly noted in the book to be kept for that purpose by the said Parochial Treasurer

Payment of interest and of principal. 6. On the day or respective days appointed in the certificates for the payment of the moneys and interest named therein, the vestry of the said parish shall on demand

SESSION OF 1889-'90.

pay, through the Parochial Treasurer of the said parish at his office, to the holders of the respective certificates the several amounts named therein respectively together with all interest due thereon to such day or days.

7. From and after the day appointed in each certificate for the payment of the money named therein, all interest shall cease and determine in respect of the money named in such certificate, and that notwithstanding that payment of the money named in such certificate shall not have been made through not having been demanded. **Interest on certificates when to cease.**

8. Every certificate shall together with the transfers thereof (if any,) at the time of the payment of the money named in such certificate together with all interest thereon as aforesaid, be delivered up to the said vestry and shall forthwith be cancelled or destroyed by them; provided always that if any certificate or transfer shall have been destroyed, lost or mislaid, the vestry shall still pay the sum named in such certificate and the interest thereon, to the person, bodies politic or corporate whom they may consider entitled to the same respectively, upon being satisfied (at the cost of such person, bodies politic or corporate) that such certificate has been destroyed or cannot be found, and upon receiving such sufficient guarantee of indemnity as they may think fit to require, or as they may by their counsel in the law be advised to require. **Delivery of certificates to be cancelled.**

9. The said vestry are hereby authorised and required to lay a rate at the same time that the ordinary rates for the current parochial year are laid in the said parish for the purpose of meeting the interest on the mo- **Interest and costs and expenses of this Act to be defrayed by a rate.**

LAWS OF BARBADOS

ney hereby authorised to be borrowed and the costs and expenses of preparing, obtaining and passing this Act ; and also for defraying all expenses incurred by them from time to time in carrying out the provisions of this Act.

Majority of Vestry may execute this Act.

10. All acts matters and things authorised or necessary to be done or executed by the said vestry under this Act may be done and executed by the majority of the members of the said vestry in vestry assembled.

SCHEDULE A.

CERTIFICATE NUMBER.

The Saint Michael's Parish Rating and Loan Act, 1890.

WE, the Chairman, Churchwarden, and senior member of the vestry of the parish of Saint Michael in vestry assembled, do with the authority of the said vestry, hereby certify that the said vestry have under the provisions of the said Act borrowed from

of
the sum of pounds which sum has been paid to the said vestry, and is to carry interest from this date at the rate of per centum per annum, and the said sum with the interest thereon is to be repaid at the Parochial Treasurer's Office in the said parish on the day of 189 .

Given under our hands this day of 1890.

SESSION OF 1889-'90.

SCHEDULE B.

*The Saint Michael's Parish Rating and
Loan Act, 1890.*

I, _____ of _____ do
hereby transfer a certificate dated the
day of _____ 1890, and numbered _____
made by the vestry of the parish of
Saint Michael under the provisions of the said
Act for securing the sum of _____ pounds and
interest thereon, and the money thereby se-
cured, and all my right and interest in and
to the same, to _____ of _____ his
executors administrators and assigns, for
value of him received.

Dated this _____ day of _____ 189

Witnesses.

CAP. XXI.

(Assented to 18th April 1890.)

BARBADOS.

*An Act to amend the law relating to the giv-
ing of alarms of fire.*

BE it enacted by the Governor, Council
and Assembly of this Island, and by
the authority of the same, as follows ;

1. Any person who gives an alarm of fire to any police officer or member of the Fire Brigade, knowing the same to be false, shall on conviction before a police Magistrate be liable to a penalty not exceeding five pounds. Penalty on giv-
ing knowingly a
false alarm of fire.

2. Any penalty under this Act may be recovered in a summary manner by the Superintendent of the Fire Brigade. How and by
whom recoverable.

LAWS OF BARBADOS

CAP. XXII.

(Assented to 18th April 1890.)

BARBADOS.

An Act to amend the Act of the thirty first day of January one thousand eight hundred and fifty seven, entitled, "An Act to provide for the establishment and maintenance of a Court of Appeal."

BE it enacted by the Governor, Council and Assembly of this Island, and by the authority of the same as follows ;

Short titles.

1. This Act may be cited as "The Court of Appeal Act, 1857, Amendment Act, 1890" and the above-mentioned Act, (hereinafter referred to as the principal Act,) may be cited as "The Court of Appeal Act, 1857."

Of what judges
the court shall consist.

2. The Court of Appeal established under the principal Act shall consist of and be holden by the Chief Justice of Barbados, the Chief Justice of Grenada, and the Chief Justice of Saint Vincent and Saint. Lucia ; or the persons discharging the duties of those offices for the time being ; provided always that any one of such Justices shall be sufficient to constitute a Court for the purpose of adjournment only.

Sittings of the
said court.

3. The said Court of Appeal shall hold its sittings for the hearing of appeals from the courts of this Island, in the City of Bridgetown, and such sittings shall commence on the second Monday in the month of January and on the second Monday in the month of July in each year ; provided always, that if on any occasion it may be found necessary or more convenient to commence the sittings of the said Court of Appeal on other days than those hereinbefore fixed for that pur-

SESSION OF 1889-'90.

pose, it shall be lawful for the Governor, by proclamation to be published in the Official Gazette of this Island, to appoint and fix some other days in the year on which the sittings of the said Court shall commence.

4. The Chief Justice of Barbados shall not receive any fee or payment for sitting as a Judge of the said Court of Appeal for the hearing of any appeal from the Courts of this Island. No payment to be made to Chief Justice on hearing appeals from Barbados.

5. Sections two and six of the principal Act and the Act of the sixteenth day of February one thousand eight hundred and eighty one, entitled, "An Act to amend the Act of the thirty-first day of January one thousand eight hundred and fifty seven, entitled, "An Act to provide for the establishment and maintenance of a Court of Appeal," are hereby repealed, but this repeal shall not affect the validity of any thing done under or in pursuance of the said enactments hereby repealed or any of them. Repeal.

6. This Act shall not come into operation unless and until the officer administering the Government notifies by proclamation that it is Her Majesty's pleasure not to disallow the same, and thereafter it shall come into operation upon such day as the officer administering the Government shall notify by the same or any other proclamation. Suspending section.

LAWS OF BARBADOS

CAP. XXIII.

(Assented to 26th April 1890.)

BARBADOS.

An Act to amend An Act of the twenty fifth day of February one thousand eight hundred and forty seven entitled "An Act to authorize the appointment of Commissioners for taking the acknowledgment and the Probates of Deeds and the Private examination of Married Women."

WHEREAS it is deemed expedient to amend the above-mentioned Act of the Twenty fifth day of February one thousand eight hundred and forty seven in manner hereinafter appearing; Be it therefore enacted by the Governor, Council and Assembly of this Island and by the authority of the same, as follows;

Governor empowered to appoint an acting Commissioner of Probates whose powers &c, shall be the same as those of a Commissioner of Probates.

1. It shall be lawful for the Governor to grant leave to any Commissioner of Probates of this Island and to approve of his duties being performed by any other person or persons during such leave, and such acting Commissioner of Probates shall be invested with and have, exercise and perform the same powers, authorities, rights and duties as a Commissioner of Probates appointed under the said Act of the twenty fifth day of February, one thousand eight hundred and forty seven, is from time to time invested with and shall be entitled to the same fees.

Construction.

2. This Act shall be read and construed with the said Act of the twenty fifth day of February one thousand eight hundred and forty seven.

SESSION OF 1889-'90

CAP. XXIV.

(Assented to 26th April, 1890.)

BARBADOS.

An Act to facilitate the taking of evidence in actions or suits in which any person residing in the United Kingdom is a party.

BE it enacted by the Governor, Council, and Assembly of this Island, and by the authority of the same as follows ;

1. This Act may be cited as "The facilitating of proof Act, 1890."

Short title.

2. In any action or suit now depending or hereafter brought in any Court of law or equity in this Island in which any person residing in the United Kingdom is a party and which is an action or suit for or relating to any debt or account, or for or relating to any lands, tenements or hereditaments, or other property, situate lying and being in this Island, it shall and may be lawful for the plaintiff and defendant and also for any witness who is to be examined or made use of in such action or suit to verify or prove any matter or thing relating thereto by solemn declaration in writing in the form in the schedule to this Act annexed, made before any Justice of the Peace, Notary Public or other officer authorized by the law of the part of the United Kingdom where such declaration is made to administer an oath, and certified and transmitted under the signature and seal of any such Justice, Notary Public or other officer, but in the event of any Justice of the Peace or such other officer having no seal of office he shall in writing or in print, either above or before his signature, state that he has

In actions or suits for or relating to any debt or account, or lands in this Island in which any person in the United Kingdom is a party, matters may be proved by declaration in the United Kingdom.

LAWS OF BARBADOS

no seal of office, and every declaration so made, certified, and transmitted, shall, in all such actions and suits, be allowed to be of the same force and effect as if the person making the same had appeared and sworn, or affirmed, the matters contained in such declaration, viva voce in open Court, or upon a Commission issued for the examination of witnesses, or of any party in such action or suit respectively, and all courts of law and equity shall take judicial notice of the seal and signature, as the case may be, of any such Justice of the Peace, Notary Public or other officer attached and subscribed to such declaration. Provided always, that in every such declaration there shall be expressed the addition of the party making such declaration and the particular place of his or her abode.

Debts to Her Majesty may be proved in the same manner.

3. In any action or suit now depending or hereafter brought in any court of law or equity in this Island by or on behalf of Her Majesty, her heirs and successors, for or relating to any debt or account, Her Majesty, her heirs and successors shall and may prove her and their debts and accounts, and examine her or their witnesses by declaration in like manner as any subject may do under this Act.

SCHEDULE.

I, A.B do solemnly and sincerely declare that
and I make this solemn declaration conscientiously believing the same to be true, and

SESSION OF 1889-'90.

by virtue of the provisions of "The Facilitating of Proof Act, 1890." (Barbados).

(Signed)

(Justice of the Peace,
Notary Public,
or, officer authorized
by law to administer
oaths, as the case may be.)

CAP. XXV.

(Assented to 26th April, 1890.)

BARBADOS.

An Act to amend "The Justices of the Peace Procedure Act, 1860."

BE it enacted by the Governor, Council and Assembly of this Island, and by the authority of the same, as follows;

1. In all cases in which any person residing or being, or suspected to reside or be, within the limits of the jurisdiction of any police magistrate, has committed or is suspected to have committed on the high seas near the coasts of this Island, any felony, misdemeanour, or other offence punishable upon a summary conviction, such police magistrate shall have and exercise the same jurisdiction, authority and power for enquiring into, trying and adjudicating on such felony, misdemeanour or other offence as he would have had and exercised if such felony, misdemeanour or other offence had been committed on shore within the limits of his jurisdiction.

Police Magistrate given a summary jurisdiction over offences committed on the high seas near the coasts of this Island.

LAWS OF BARBADOS

CAP. XXVI.

(Assented to 26th April, 1890.)

BARBADOS.

An Act to provide for the payment of the expenses arising in cases where natives of the Colony are tried by British Courts in foreign Countries.

BE it enacted by the Governor, Council and Assembly of this Island, and by the authority of the same, as follows ;

Expenses arising from the trial by British Courts in Foreign Countries, of natives of Barbados, to be borne by the Public Treasury.

1. In all cases in which a person who is a native of, or ordinarily resident in, this Island commits an offence in a foreign country and is tried by a British Court under the Foreign Jurisdiction Acts, 1843 to 1878, and is either convicted, or on the ground of insanity acquitted, the expenses of the prisoner's removal to the Colony or place in which he is to undergo his sentence, or to be confined as a criminal lunatic, and of his maintenance during his imprisonment or confinement, and also any other expenses incident to his conviction or to his acquittal on the ground of insanity shall, so far as they cannot be met out of the effects of the prisoner under any order of the Court, be paid on the warrant of the Governor-in-Executive Committee out of the public treasury.

SESSION OF 1889-'90,

CAP. XXVII.

(Assented to 26th April, 1890.)

BARBADOS.

An Act to consolidate and amend the Acts relating to the West India and Panama Telegraph Company, Limited.

BE it enacted by the Governor, Council, and Assembly of this Island, and by the authority of the same, as follows ;

1. This Act may be cited as "The Telegraph (West India and Panama) Company's Act, 1890."

Short title.

2. In this Act the expression "the Company," shall mean "the West India and Panama Telegraph Company, Limited," incorporated on the ninth day of January one thousand eight hundred and seventy-seven.

Interpretation.

3. An annual subsidy of two thousand five hundred pounds is hereby granted from the public treasury of this Island to the Company for a term of ten years, to commence and be computed from the first day of January one thousand eight hundred and ninety, and payable by quarterly payments of six hundred and twenty five pounds on the thirty first day of March, the thirtieth day of June, the thirtieth day of September, and the thirty first day of December, in each year, and the Treasurer of the Island is hereby authorised to pay to the duly constituted agents of the Company the said subsidy in the manner and at the times aforesaid, on the warrants of the Governor-in-Executive Committee ; provided, that a duplicate cable be laid between this Island and the Island of Saint Vincent before the expiration of one

An annual subsidy of £2,500 granted to the Company for the term of 10 years, commencing 1st of January, 1890, on certain conditions.

LAWS OF BARBADOS

year from the date of the passing of this Act, and provided that the said duplicate cable and the cable connecting Europe and America with the Islands of St. Thomas, or Tortola, Guadeloupe, Martinique, Barbados, Trinidad, Cuba, and with the Colony of British Guiana in South America, and all of the other West India Colonies, between which and the Continent of North America telegraphic communication has been established, is maintained in efficient operation throughout the extent of the line, and the provisions of this Act are duly observed. And provided always, that the Governor-in-Executive Committee shall have and is hereby invested with a discretionary power to determine whether any, and if so, what deductions shall be made from the current amount of subsidy payable to the Company for any interruption in the regular and complete transmission of intelligence by such Company's line, and in the event of any such deduction as aforesaid becoming necessary, the same shall be made from the quarterly amounts payable: and provided always that the condition of maintenance of communication with the United States and Europe shall be deemed to be fulfilled if either route, via Havana or via Para, shall be available for the transmission of messages.

Daily bulletin of news to be furnished. 4. In consideration of the annual subsidy granted by this Act, and during the said term of years in which such subsidy shall be paid, there shall be published daily at the Telegraph Station in Bridgetown, free of charge and for the use of the public, a bulletin making known the general news of Europe and the United States of America, as also

SESSION OF 1889-'90.

the ruling market prices in London, and in New York, of :—

Flour, per brl., New York	}	In New York
shipping of the St. Lawrence		
brand.		
Meal ditto	}	In New York
Pork ditto		
Two Sugars, per pound		
Barbados Molasses, per gal.	}	In New York
Premium on gold		
Exchange, New York		
Three Sugars, per pound	}	In London
Demerara Rum, per gallon		
Trinidad Cocoa, per cwt.		
Consols	}	In London
Bank of England rate of discount		
Rentes		

and intelligence of the arrivals of the West India Packets in England, and any delay or alteration in their departures therefrom, and the arrivals and departures at and from the first and other ports in the West Indies, together with any news of importance at places in the line of route, and a copy of the daily bulletin shall be forwarded by the Company to the Public Printers, to be published in the *Official Gazette*, and to the Colonial Postmaster, who shall cause it to be posted in some conspicuous place for the information of the public.

Rate of charges,
how to be fixed.

5. The rate of charges for messages to be made by the Company shall from time to time, be fixed by the Governor-in-Executive Committee and the tariff settled and agreed upon by the Committee and the Company, and approved of by the Governor, shall forthwith be published in the *Official Gazette*,

LAWS OF BARBADOS

and shall be binding on all parties, and the Committee aforesaid shall in conjunction with the Company have power to make such rules and arrangements in matters of details as circumstances may require, provided such rules and arrangements are not repugnant to any provisions of this Act, or to any Act of the Imperial Parliament, and such rules shall after being sanctioned by the Governor-in-Executive Committee, be published in the *Official Gazette*, and shall thenceforth have full force and effect.

Company to be
answerable for da-
mages.

6. The Company shall be answerable for all accidents, damages, wrongs, and injuries happening through the act or default of the Company, or any person in their employ, by reason or in consequence of any of the Company's works, and shall save harmless all persons or bodies having the control of streets or roads, collectively or individually, and their officers and servants from all damages and costs in respect of such accidents, and injuries, and in case there shall be at any time no member or members of the said Company resident in the said Island, or no person duly authorised and appointed in their behalf, against whom any suits or actions can be brought in any courts of law or equity, in this Island, it shall be lawful for any person or persons or any body politic or corporate, having cause of suit or action against the said Company, to commence, institute and prosecute against the principal officer or servant of the said Company resident in this Island, any actions or suits, or other proceedings at law or in equity, as nominal defendant, and all such proceedings and decisions taken and made as aforesaid, shall be binding on the said Company.

SESSION OF 1889-'90.

And it shall be lawful for any person or persons, after he or they shall have obtained judgment and execution against the said Company, and after making affidavit thereon by himself, or themselves, or by his or their Attorney, that the judgment is still unsatisfied, and to what amount to lodge the same with the Colonial Treasurer of this Island, who is hereby required by and out of the moneys due or accruing due to the said Company, in respect of the said subsidy, to pay the amount of the said judgment debt, to such judgment creditor. Provided always that it shall be lawful for a judge upon the ex-parte application of such judgment creditor, either before or after oral examination, and upon affidavit by such judgment creditor by himself, or his attorney stating that judgment has been recovered, and that it is still unsatisfied and to what amount, to order the said Treasurer to appear before the judge, or a master of the Court, as such judge shall appoint to show cause why he should not pay the judgment creditor the amount sufficient to satisfy the said judgment, out of the moneys due or accruing due in respect of the said subsidy to the said Company.

7. Every person who shall wilfully and maliciously injure any of the wires, lines, and malicious injury to the Company's property. and other property and matters in connection with the West India and Panama Telegraph Company Limited, shall, for every such offence, forfeit to the said Company a sum not exceeding five pounds to be recovered on the complaint of the Superintendent or other authorized agent of the Company, before any Police Magistrate of this Island,

LAWS OF BARBADOS

in the same manner as in the case of servants' wages.

Right of way and
right of leasing or
compulsory pur-
chasing land grant-
ed to the Company.

8. Full power and authority is hereby granted to the Company, to have and exercise such right of way as may be necessary for laying cables in the bed of the sea and foreshore, and continuing their lines to and from the necessary station or stations; and the Company shall have and enjoy all the necessary rights for taking and holding leases of, or buying absolutely, or otherwise, any lands or hereditaments in this Island which may be necessary for carrying out the objects of the Company, and in case of dispute, the value of such lands and hereditaments shall be determined by arbitration or by special juries, in the manner provided for the settlement of such disputes, between the owners of lands and hereditaments, and the Bridgetown Waterworks Company, by the Waterworks Act passed on the nineteenth day of August one thousand eight hundred and fifty seven.

Telegraph to be
open to all.

9. Every telegraph of the Company shall be open to the messages of all persons alike, without favour or preference.

Company to have
free control of line
and to be exempt
from certain duties
taxes &c.

10. The Company shall have free control over the whole line, and be exempt from customs and any other duties for all instruments, cables, wires, and other materials necessary for the use and construction of the telegraphic lines or cable aforesaid, or in the office or offices on the line. All vessels which shall convey telegraphic cable or cables to the West India Colonies, those that accompany them, or act as tenders thereto, and supply vessels for the same, may enter the ports of Barbados free of port

SESSION OF 1889-'90.

charges, or other charges or taxes on said vessels, or their cargoes, as far as it concerns only objects destined for the establishment and working of the line, and the buildings and constructions that will have to be erected in this Island by the Company for the establishment of the telegraphic lines, or cables, and for the agents and functionaries of the Company shall be free from all taxation; provided always, that the advantages granted to the Company by this clause shall not extend beyond the period for which the subsidy is granted.

11. The Company shall not sell, transfer, or lease their undertaking, or works, or any part thereof, to any other Company, or to any body or person, except with the consent of the Legislature of this Island, signified by special enactment. Company not to sell &c. undertaking without leave.

12. If any person in the employment of the Company wilfully or negligently omits, or delays to transmit or deliver any message, or by wilful or negligent act or omission prevents or delays the transmission or delivery of any message, or improperly divulges to any person the purport of any message, he shall for every such offence be liable to a penalty not exceeding twenty pounds, to be recovered summarily before any Police Magistrate, on the complaint of the person or persons aggrieved, and paid to the Colonial Treasurer for the use of the public. Penalty for neglect in transmission of messages &c.

13. If the Governor requires the Company to transmit any message on Her Majesty's service, such message shall (notwithstanding anything hereinbefore contained) have priority over all other messages, and the Company shall, as soon as reasonably may be, Priority to be given to Governor's messages on H. M. Service.

LAWS OF BARBADOS.

transmit the same, and shall, until such transmission thereof, suspend the transmission of all other messages.

No monopoly
granted.

14. Nothing in this Act contained shall be understood to grant any exclusive rights to the Company, or to prevent the like privileges being extended to any private persons, or corporate bodies, desiring to carry on telegraphic communication with this Island.

Governor by war-
rant may take pos-
session of line.

15. Where in the opinion of the Governor an emergency has arisen, in which it is expedient for the public service that the Colonial Government should have control over the transmission of messages by the Company's telegraph, the Governor, by warrant under his hand, may direct and cause the Company's works and lines, or any part thereof in this Colony, to be taken possession of in the name and on behalf of her Majesty, and to be used for her Majesty's service, and subject thereto, for such ordinary service as may seem fit, or may direct and authorize such persons as he thinks fit to assume the control of the transmission of messages by the Company's telegraphs, either wholly or partly, or in such manner as he directs.

Operation of war-
rant and renewal.

Any such warrant shall not have effect for a longer time than one week from the issuing thereof, but the Governor may issue successive warrants, from week to week, as long as in his opinion such emergency continues. The Colonial Treasurer shall, on the warrant, pay to the Company as compensation for any loss of profit sustained by the company, by reason of the exercise by the Governor of any of the powers of the present section, out of the public revenues of the Colony, such sum as may

Compensation to
be paid to Company
to be fixed by agree-
ment or arbitration.

SESSION OF 1889-'90

be settled between the Government of the Colony and the Company by agreement, or, in case of difference, by arbitration, such arbitration to be conducted as follows :—

- (1.) The Governor and the said Company shall each, within fourteen days after the delivery by one to the other of a demand in writing for an arbitration, nominate an arbitrator. Arbitrators to be named within 14 days.
- (2.) The two arbitrators nominated shall, before entering on the arbitration, nominate an umpire. Umpire.
- (3.) If either party or arbitrator makes default in nominating an arbitrator or umpire, within six weeks after receiving from the other a demand in writing for such nomination, the Chief Justice of this Colony may, on the request of the Governor, or of the said Company, under his hand, nominate an arbitrator or umpire. In default of either party Chief Justice to nominate.
- (4.) The arbitrators shall make their award within two months after their nomination, otherwise the matter shall be left to be determined by the umpire. Award to be given by arbitrator within 2 months.
- (5.) The umpire shall make his award within three months after notice from the arbitrators, or one of them, that the matter is left to be determined by him, or on default, a new umpire shall be appointed as nearly as may be in manner aforesaid, who shall make his award within the like time, or in default be superseded and so *toties quoties*. Umpires award to be given in 3 months.
- (6.) The award of the arbitrators or umpire shall be final. Award to be final.

LAWS OF BARBADOS

pire shall be final and conclusive, as between the Governor and the said Company.

This Act to be of no effect if or so far as repugnant to Imperial Acts.

Privileges granted on condition that the Company shall not have exclusive rights in Panama.

16. Nothing contained in this Act shall be of any force or effect, if repugnant to the provisions of any Act of the Imperial Parliament now in force, or which may hereafter be enacted, for the purpose of regulating the powers to be exercised by telegraph companies within her Majesty's dominions.

17. Provided always that the powers and privileges granted to the aforesaid Company by this law are so granted on the condition that the said Company is not now in possession of, and shall not at any time hereafter acquire any exclusive right or privilege of telegraphic communication in the State of Panama, and that in case of such possession or acquisition, all the powers and privileges by this law granted shall cease and determine.

Repeal and savings.

Repeal.

18. The Acts mentioned in the schedule to this Act annexed are hereby repealed provided that such repeal shall not affect ;

1. The past operation of the enactments hereby repealed nor anything done or suffered under the enactments hereby repealed ; nor
2. any right, privilege, obligation or liability acquired, accrued, or incurred under the enactments hereby repealed ;
3. any penalty, forfeiture, or punishment incurred in respect of any offence committed against the enactments hereby repealed ; nor
4. any investigation, legal proceeding or

SESSION OF 1889-'90.

remedy in respect of such right, privilege, obligation, liability, penalty, forfeiture, or punishment as aforesaid, and any such investigation, legal proceeding and remedy may be carried on as if this Act had not passed.

5. Any enactment in which such enactment has been applied, incorporated or referred to.
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LAWS OF BARBADOS

SCHEDULE.

Date of Act.	Title of Act	Extent of Repeal.
4th Oct. 1870...	An Act to encourage and promote the establishment of communication by means of the Electric Telegraph between this Island, the other West India Colonies, and the Continents of Europe and America, by the West India and Panama Telegraph Company, Limited.	The whole Act.
4th July 1871	An Act to make provision for the protection of the Wires, Lines, and other property and matters in connection with the West India and Panama Telegraph Company, Limited.	The whole Act.
6th March 1876	An Act to grant a subsidy to the West India and Panama Telegraph Company, Limited.	The whole Act.
11th Dec. 1878	An Act for transferring to and vesting in the West India and Panama Telegraph Company, Limited, Incorporated in England, on the 9th day of January, 1877, the rights and privileges granted to the West India and Panama Telegraph Company, Limited, Incorporated in England on the 30th day of July 1869.	The whole Act.
21st May 1885	An Act to continue the subsidy granted by the Act of the sixth day of March one thousand eight hundred and seventy six, entitled, "An Act to grant a subsidy to the West India and Panama Telegraph Company, Limited."	The whole Act.
24th Oct., 1885	An Act to amend An Act to continue the subsidy granted by the Act of the 6th day of March 1876, entitled, An Act to grant a subsidy to The West India and Panama Telegraph Company, Limited—passed in the present session of the Legislature	The whole Act.
31st Decr. 1889	An Act to continue various expiring laws.	The part relating to the West India and Panama Telegraph Company Limited.

SESSION OF 1889-90.

CAP. XXVIII.

(Assented to 26th April 1890.)

BARBADOS.

An Act to enable the Governor-in-Executive Committee to purchase certain portions of the land adjoining Bay Street on both sides thereof.

BE it enacted by the Governor, Council, and Assembly of this Island and by the authority of the same as follows ;

1. This Act may be cited as "The Bay Street Improvement Act 1890." Short title.

2 In this Act "land" shall include "messuages, lands, tenements, and hereditaments of any tenure whatsoever" Interpretations.

3. The Governor-in-Executive Committee is hereby authorised to expend a sum not exceeding fifteen thousand pounds in the purchase in the manner hereinafter provided of such portions as they may select of the land that lies to the West of Bay Street in the City of Bridgetown and between the War Department land on the south and Careenage on the north, and of such portions as they may select of the land that lies on the eastern side of Bay Street aforesaid between the War Department land called "The Banyans" on the south and the Careenage on the north ; provided always that the portion of land to be purchased under this Act shall so far as practicable consist both of land on one side of the said Street and of the land facing it on the other side and shall not all be situated on one side only of the said street ; Governor-in Executive Committee authorised to expend a sum not exceeding £15,000 in the purchase of land on both sides of Bay Street.

Proviso.

LAWS OF BARBADOS

and provided also that the portions of land purchased on the eastern side of the said Street shall not exceed two hundred feet in depth as measured from the eastern boundary of the said street.

Land to be purchased under "The Lands for Public Undertakings, Acquisition Act, 1888" and this Act.

4. The said portions of land shall be purchased under the provisions of "The Lands for Public Undertakings, Acquisition Act 1888," subject to the following sections of this Act and also to the condition that after service of the notice referred to in section thirteen of the said Act, the compensation to be paid for such land shall be assessed by a jury, to be summoned under the provisions of the said Act, and in no other manner.

Land to be purchased to be specified in writing and shall in all cases be appraised by one and the same jury.

5. (1) The Governor-in-Executive Committee shall, on each occasion that they shall determine to purchase any of the said land, specify in writing what land they have determined to purchase, and after the service of the requisite notice on the owner, such land, whether it may consist of one piece, the property of one or joint owners, or may consist of several pieces, owned respectively by different owners, shall be appraised, and the compensation assessed, by one and the same jury.

Juror may be empanelled in the place of another juror unable to attend.

2) If however any juror, who shall have been empanelled, shall be unable from any cause, the sufficiency of which shall be subject to the approval of the Provost Marshal, to attend, it shall be lawful for the Provost Marshal to empanel a juror in his place.

Governor-in-Executive Committee may appoint a surveyor to make a survey and measure.

6. (1) The Governor-in-Executive Committee are hereby authorized to have a survey made, and measurements taken, of any portion of the said land, and for that pur-

SESSION OF 1889-90.

pose may appoint a surveyor who shall be empowered after having given in writing, three days notice of his intention so to do, to enter upon and survey and measure any portion of such land. ments, of any such land.

(2) Any person who shall obstruct such surveyor in the execution of the powers conferred by this Act may be apprehended without warrant, and taken before a police magistrate and upon summary conviction shall be liable to a penalty not exceeding twenty pounds. Penalty for obstructing such surveyor.

7. It shall not be obligatory on the Governor-in-Executive Committee to purchase any of such land only because a survey of such land has been made. Purchase of land surveyed not obligatory.

CAP. XXIX.

(Assented to 5th June, 1890.)

BARBADOS.

An Act to amend "The Trade Act, 1889."

BE it enacted by the Governor, Council and Assembly of this Island and by the authority of the same, as follows ;

1. The kit of any soldier and the baggage of any officer may be landed at the Adjutant General's Pier or Engineers' Pier without an officer of the Customs being present, and need not be taken thence to the baggage warehouse ; provided always that no officer's baggage shall be landed under this Act unless such officer shall previously have signed a declaration according to a form to be settled by the Governor-in-Executive Committee to the effect that such baggage contains no article liable to duty. Landing of soldier's kit and officer's baggage.

Proviso.

LAWS OF BARBADOS.

Exemption of ships 2. In every case in which all the cargo from all dues and fees (except tonnage dues) if cargo landed or shipped does not exceed 2 tons. 2. In every case in which all the cargo landed or shipped by any ship does not exceed two tons, such ship shall be exempt from the payment of all dues and fees (other than tonnage dues) from which it would be exempt if no cargo was landed or shipped.

Reimportation of articles exported after payment of the import duty thereon. 3. The owner of any article which after payment of the import duty (if any) chargeable thereon is exported from this Island may re-import the same free of duty if the following conditions are fulfilled.

(1) If before exporting the article he files in the office of the Comptroller a declaration of his intention to subsequently re-import the same, such declaration accurately describing it and stating its value.

And (2) if on re-importation he satisfies the Comptroller that the article imported is the one previously exported by him:

Proviso.

provided always that if any alteration or repair is made in or to such article before its re-importation, duty shall on its being re-imported be paid on the full value of such alteration or repair.

Drawback of duty on samples &c., 4. A drawback of the duty paid on any sample or specimen of goods brought to the Island by a bona-fide Commercial Traveller and subsequently taken away by them. 4. A drawback of the duty paid on any sample or specimen of goods brought to the Island by a bona-fide Commercial Traveller and subsequently taken away by him shall be allowed, provided it is shewn to the satisfaction of the proper officer that such sample or specimen is re-shipped and about to be taken away and is the same as the sample or specimen on which duty has been previously paid; and such drawback shall be paid by the Treasurer on the order of the Comptroller, such order being previously examined and signed by the Auditor General.

SESSION OF 1889-90.

5. In section fourteen of "The Trade Act, 1889" the proviso in sub-section one is hereby repealed and in lieu thereof the following proviso shall be inserted; provided always that no bond shall be required to be given in respect of steamships bringing a regular mail but the fee of twelve shillings and sixpence shall nevertheless be paid into the Treasury by the consignee or agent of such steamship and such consignee or agent shall clear such ship within three days after her departure and in default of so doing shall be liable to a penalty not exceeding fifty pounds.

Amendment of section 14, of "The Trade Act, 1889."

In sub-section two of the same section the words "without having landed or shipped any cargo" shall be substituted for the words "in ballast without having to come to an entry."

6. In section forty five, subsection one of the Trade Act, 1889, the words "in any one year" shall be inserted in line three after the words "tonnage dues."

Amendment of section 45, of the said Act.

7. In section 53 of the said Act, the words "the Lords Commissioners of the Treasury" shall be substituted for the words "the Commissioners of Customs."

Amendment of section 53, of the said Act.

8. Section one hundred and nine of the said Act is hereby repealed (save and except so far as any goods imported thereunder and not yet exported are concerned) and in lieu thereof the following section shall be inserted.

Refund of duty on all articles imported for repairs alteration or improvement.

The Consignee of all articles imported into this Island for repairs alteration or improvement, shall immediately on the receipt thereof make a declaration before the Comptroller setting forth such fact together with

LAWS OF BARBADOS

a true description of such articles, and of their value, and shall file the same in the office of the said Comptroller.

The consignee of such articles on exporting the same shall on satisfying the Comptroller that the articles have been exported and are the same that he received for repairs, alterations of improvement, be refunded by the Treasurer the amount paid by him as duty on the importation of such articles : provided always that no such duty shall be refunded unless the articles shall have been exported within three months of their importation and such claim for refund shall have been made within two months of such exportation.

Amendment of
section 173, of 'The
Trade Act, 1889.'

9. In section one hundred and seventy three of the Trade Act, 1889, the words "one hundred and seventy first section" shall be substituted for the words "last preceding" occurring in line three.

CAP. XXX.

(Assented to 6th June 1890.)

BARBADOS.

An Act to consolidate the Acts relating to the salary of the Governor of Barbados, and his Private Secretary, the furnishing of Government House, the Governor's entertainment allowance, the upkeep of grounds and the supply of water to Government House.

BE it enacted by the Governor, Council, and Assembly of this Island and by the authority of the same, as follows ;

SESSION OF 1889-90.

1. This Act may be cited as "The Governor's Act, 1890" Short title.

Salaries of Governor and his Private Secretary.

2. The Officer Administering the Government of this Island shall be entitled to receive from the public treasury, for his own use, the annual sum of three thousand pounds.

Governor to receive an annual salary of £3,000.

3. The Private Secretary of the Officer Administering the Government of this Island shall be entitled to receive from the public treasury, for his own use, the annual sum of three hundred pounds.

Private Secretary to receive an annual salary of £300.

4. The several annual sums hereinbefore mentioned shall be paid out of the public treasury by equal monthly instalments on warrant of the Governor-in-Executive Committee.

Mode of payment of salaries.

Furniture.

5. The Governor shall pay five per cent per annum on the last estimated value of the furniture in the bed rooms, kitchens, and other rooms not used for the public reception of company, and of all other articles provided at the cost of the Island and used by him; provided always that he shall not be subject to any charge on account of the furniture of the reception rooms, or of the offices used by himself or by his Private Secretary.

Governor to pay 5 per cent on furniture in rooms other than public reception rooms and offices.

6. The rooms at Government House shall, in accordance with the custom which has hitherto prevailed, be painted and papered (when necessary) and furnished at the expense of the Island. Plate and table ornaments to a moderate and reasonable extent, and linen, crockery, glass, cutlery, and kitchen utensils will also be provided as

The cost of furnishing Government House to be provided for on the annual estimates.

LAWS OF BARBADOS

has hitherto been customary at the cost of the Island, the sums required for these purposes being voted as hitherto on the annual Estimates.

Colonial Treasurer to deduct the five per cent from the Governor's salary quarterly.

7. The Colonial Treasurer is hereby authorised and required to deduct, in equal quarterly sums, from the salary of the Governor, the said sum of five per cent per annum on the estimated value of the furniture in respect of which the Governor is required to pay a percentage.

Value of furniture how to be arrived at.

8. (1) For the purpose of arriving at the estimated value of the furniture and other articles on which the Governor is to pay a percentage, the latest valuation shall be taken as the present value of the furniture and other articles, and an annual reduction of five per cent shall be allowed for depreciation and the percentage charged on the reduced amount.

(2.) The Governor shall be charged with five per cent on the cost of new furniture or other articles, and on this cost an annual reduction of five per cent shall be allowed for depreciation.

Furniture &c., to be kept complete and loss or damage not caused by fair wear to be made good by the Governor.

9. All furniture and plate supplied at the expense of the island is to be kept complete; and any article lost or damaged otherwise than by fair wear is to be made good at the expense of the Governor or other officer occupying Government House for the time being, and the Colonial Treasurer is hereby required to call upon such Governor or other officer as aforesaid to make good or repair any such loss or damage.

Inventory to be made on each occasion of the Government becoming vacant.

10. On each occasion of the Government being vacated, an inventory of the furniture and other articles at Government House shall be made by such person as shall be ap-

SESSION OF 1889-90.

pointed for that purpose by the Executive Committee.

11. Any necessary expenditure incurred in carrying out the provisions of this Act shall be defrayed from the vote for furniture granted for the year within which such expenditure falls. Expenditure in any year to be defrayed out of vote for that year.

Entertainment allowance.

12. The Governor of Barbados, or the Officer for the time being Administering the Government of Barbados, shall be entitled to receive from the public treasury, on the warrant of the Governor-in-Executive Committee, an annual sum of six hundred pounds as entertainment allowance, payable in equal monthly instalments. An entertainment allowance of £600 to be paid to the Governor.

13. The last preceding section shall continue in force until (and inclusive of) the thirty first day of December one thousand eight hundred and ninety two. Until the 31st December 1892.

Gardens and Grounds.

14. A sum not exceeding fifty pounds per annum shall be paid to the Governor monthly from the treasury on the warrant of the Governor-in-Executive Committee for the upkeep of the gardens and grounds of Government House. £50 a year granted for upkeep of Government House grounds.

Water.

15. The sum of thirty pounds per annum, to be paid by the Treasurer monthly on the warrant of the Governor-in-Executive Committee, is granted to the Bridgetown Water Works Company for a supply of three thousand gallons of water daily to Government House. £30 a year granted for the supply of water to Government House.

LAWS OF BARBADOS.

House and the out buildings thereto be
longing.

Repeal.

Repeal.

16. The several Acts mentioned in the
schedule to this Act annexed shall be and
are hereby repealed.

SESSION OF 1889-90.

SCHEDULE.

Date.	Title of Act.	Extent of Repeal
18 April, 1856.....	An Act to provide for the care and keeping in order of the Gardens and Grounds of Government House.	The whole Act.
22 February, 1865.	An Act to repeal the Act authorising the Treasurer of the Island to pay the Bridgetown Water Works Company an annual sum of money for supplying Pilgrim House with water, 12 December 1863, and to make other provision in lieu thereof.....	The whole Act.
28 February, 1885.	An Act to provide for the payment out of the public treasury of the salary of the Governor and Commander in Chief of this Island, and of the salary of his Private Secretary.....	The whole Act.
2 July, 1887.	An Act to make provision for the payment by the Governor of a percentage on the cost of furniture supplied to Government House.....	The whole Act.
25 April, 1888.....	An Act to make provision for the grant of an entertainment allowance to the Governor of Barbados.	The whole Act

LAWS OF BARBADOS

CAP. XXXI.

(Assented to 7th June, 1890.)

BARBADOS.

An Act to consolidate and amend the Acts relating to pews and sittings in churches and chapels in this Island.

BE it enacted by the Governor, Council, and Assembly of this Island, and by the authority of the same as follows ;—

Short title.

1. This Act may be cited as "The Churches and Chapels (Sitting) Act, 1890."

The Vestry and Churchwarden with the Rector authorised to make rules, &c., respecting the pews and for preserving order in the parish churches.

2. The vestry and churchwarden of each and every parish in this Island, in conjunction with the Rector of the parish, shall be empowered and they are hereby fully authorized and empowered to make such rules and regulations respecting the pews and sittings, in their respective parish churches, as they shall think proper, for affording increased accommodation to the parishioners, and for the preservation of good order in their respective parish churches ; and also, from time to time, as they shall see proper, to alter such rules and regulations, and to substitute others in their stead. Provided that all such rules and regulations, and all such alterations as aforesaid, shall be with the sanction and approval of the Lord Bishop of the diocese, or in case of his absence from the Island, of his Vicar General or Commissary.

Rules to be sanctioned by Bishop or his Vicar General.

Allotment of pews and sittings in parish churches by whom and how to be made.

3. The vestry of every parish of this Island, or any number not less than two of the members of each vestry respectively, and the churchwarden for the time being of each parish with the rector or officiating minister for the time being of the parish

SESSION OF 1889-90.

church of each parish are hereby authorised and empowered to make allotments on some day in the month of January in every year, after notice given by the rector or officiating minister for the time being during divine service on two consecutive Sundays previous to the day of allotment, of the pews and sittings in their respective parish churches, and to fix a moderate rent for the use and occupation of pews and sittings for the better support thereof; and on any such allotment being signed by the rector and members of the vestry, or by the rector or officiating minister for the time being, and a majority of the members making the same, such allotment shall be deemed to have been duly made; and any allotment signed as aforesaid shall be received in evidence as proof of such allotment.

4. In the case of any chapels now under the control of the respective vestries of the several parishes of this Island or which may hereafter be taken under their control, the vestry of each parish respectively or any number of the members thereof, not less than two, with the churchwarden and officiating minister for the time being of such chapel shall be and they are hereby authorised and empowered to make allotments of pews and sittings for the use of persons resorting thereto for the purpose of divine worship, and to fix a moderate rent for the use and occupation of such pews and sittings in the said chapels; and such allotment shall be signed by the officiating minister and members making such allotment or by the officiating minister and majority of members, and shall be

Allotment of pews and sittings in chapels under the control of a Vestry; by whom and how to be made.

LAWS OF BARBADOS

deemed to have been duly made, and any such allotment signed as aforesaid shall be received in evidence as proof thereof.

Allotment of pews and sittings in chapels not under the control of a vestry, by whom and how to be made.

5. The officiating minister for the time being of each chapel, which is not under the control of the vestry of the parish together with six of the renters of pews or sittings, in the same, shall be, and they are hereby constituted and appointed to be a committee of management of such chapel, with the power and authority of making rules and regulations respecting the pews or sittings of such chapel; and also, from time to time as they shall see proper, to alter such rules and regulations and to substitute others in their stead: and also to make allotments of pews and sittings, for the use of persons resorting thereto, and to affix a moderate rent to the pews and sittings in the said chapels, and such allotment shall be signed by the officiating Minister and members making such allotment or by the officiating Minister and majority of members, and shall be deemed to have been duly made, and any such allotment signed as aforesaid shall be received in evidence as proof thereof.

Application of the pews rents of chapels not under the control of a vestry.

6. The committees of management of the chapels not under the control of the Vestry of the parish shall apply the rents arising from the pews and sittings of such chapels, not only to the repairs and use of such chapels, but to the erection or procuring of houses for the respective curates thereof, and to the repairs and improvements of such houses, and of the curates' houses now attached and belonging to any of the said chapels, as also to all incidental and other expenses in the management of such chapels as shall be deemed most advisable by a majority of

SESSION OF 1889-90.

such committee of management; but such applications of rents as aforesaid shall be with the sanction and approval of the Bishop of the diocese; provided that in all cases where any chapel with its respective chapelry house, shall at the same time require repairs, the repairs of the chapel shall have the precedence in the order of such repairs; and all and every application of any portion of the aforesaid rents arising from the pews and sittings of any such chapels is hereby prohibited as contrary to the meaning and intent of this Act until the current expenses of any such chapel shall have been first met and defrayed touching all the ordinary uses and repairs thereof.

7. The election of the committee of **Committee of management** of each such chapel, or other **agement of chapels** place of public worship, shall be holden **not under the control of a Vestry** on the second Wednesday in January in **where, when, by whom and how** each year from the hours of ten in the morning to two of the afternoon, at some **elected.** convenient place in each parish other than the chapel, of which due notice shall be given on the two preceding Sundays; and no person shall be qualified to be elected or to vote at such election who has not paid his pew rent in advance, for any time not less than three months. And any person qualified as aforesaid, shall and may open and take the poll at such election, a return of which shall be made to the Rector of the parish, or to the licensed Minister of such chapel to be deposited and kept in the records of such chapel or other place of public worship; and in the event of there being no election on the days hereinbefore appointed, then the persons last elected shall continue to exercise all the rights and powers of the

LAWS OF BARBADOS

committee of management until a new election shall have taken place.

Elections may be held on any day fixed for the purpose and of which due notice is given. 8. If the renters of any sittings in any chapel shall omit on the second Wednesday in the month of January of any year, to elect a committee of management, it shall be lawful for them so to do on any other day which shall be fixed for that purpose by the minister for the time being of such chapel, notice thereof being given on the two preceding Sundays in such and the like manner as in the case of the day so as aforesaid specially fixed for that purpose in and by the aforesaid clause.

Penalty on Persons intruding into pews which have been allotted and refusing to quit the same. 9. And for the due preservation of peace and good order be it further enacted that if any person or persons shall intrude himself, herself or themselves into any pew sitting or seat, which shall be so rented out or allotted to any other person or persons, and shall refuse to quit the same when required so to do by the churchwarden, or any parish or church officer acting under his direction, or the direction of the Vestry of the parish, or by any member of the Committee of Management of any Chapel or other place of public worship, or by any person or persons acting under the authority of such Committee, every such person shall, according to the nature of the case, incur a fine not exceeding Fifteen Pounds, and not less than Five Pounds, to be recovered on complaint of the churchwarden or any member of the Committee of Management of any chapel or public place of worship to any Justice of the Peace, as in case of servants wages; and the fine to be recovered shall be applied by the Churchwarden to the uses of the parish, or by the Committee of Management,

SESSION OF 1889-90,

to the uses of the chapel or other place of public worship for which they may have been so elected.

10. In case of disturbance in any parish church or in any chapel under the control of any vestry in the absence of the churchwarden, any member of the vestry present, or the church or chapel officer shall be, and he is hereby authorised when required so to do by the officiating minister to act with all the powers vested in churchwardens in like cases. And in the case of any chapel not under the control of any vestry, any member of the committee of management or the chapel officer shall be, and he is duly authorised when required so to do, (by the officiating minister) to act with all the powers vested in churchwardens.

By whom disturbances in parish churches or in any chapel may be dealt with.

11. In case the rent of any pew, part of a pew or sitting, or any part of such rent, be unpaid three months after the same shall become due, and notice in writing demanding payment thereof shall have been given to the occupier of such pew, or part of a pew, or sitting, then the churchwarden of the parish, or the committee of management of the chapel, may let the same to any other person or persons, according to the rules and regulations at that time in force.

If pew rents be in arrears for 3 months after demand in writing, pews may be re-let.

12. When any pew or sitting has been forfeited, notice in writing of a re-allotment of such pew, or sitting shall be placed on the door of the church or chapel as the case may be for two consecutive Sunday days before the re-allotment.

Notice of the re-allotment of any forfeited pew to be placed on the door of the church or chapel.

13. Certain persons have, for a long time past, been in the occupancy or possession of pews or sittings in the parish churches and chapels, such persons shall continue to have

Certain persons who have for a long time past been occupants of pews to

LAWS OF BARBADOS.

continue doing so if they pay the rent. the privilege of occupying the same pews or sittings so long as they shall duly pay the rent affixed to the same, agreeably to the provisions in this Act contained.

Parochial Treasurers may demand and recover money due for rent of pews in parish churches or chapels under the control of vestries. 14. The Parochial Treasurers of the several parishes of this Island shall respectively by themselves or some person legally authorized by them, demand for the uses of the parishes respectively, all sums of money now due, (including in the case of the chapels, those due at the time the chapels have been or may be taken under the control of the vestries), or which may hereafter become due, for rent of the pews, and sittings, of the parish churches and the rent of the pews, and sittings of such chapels as now are, or hereafter may be, taken or placed under the control of the vestries; and if the sum so demanded be not paid within twenty one days after the demand thereof, it shall and may be lawful for the Parochial Treasurers, and they are hereby authorized, to proceed for the recovery of any such rents by lodging a complaint before any Police Magistrate of the parish in which the church or chapel is situated, against the person or persons charged with the payment thereof, and such proceedings shall be had for the recovery of any such rents as are directed by sections nine and ten of an Act of this Island of the seventh day of January one thousand eight hundred and forty, entitled, "An Act to regulate the hiring of servants and to provide for the recovery and security of their wages."

No rent to be charged for pews received for any such pews or sittings, in any 15. No rent or fee shall be exacted or

SESSION OF 1889-90.

church or chapel of this Island, as shall be set apart for poor appropriated for the poor parishioners. parishioners.

16. Nothing herein contained shall affect any right or sitting reserved to any estates by the deeds of consecration of any such chapel or other place of public worship, or any pecuniary claims which any such chapel, or other place of worship, may, at the present be charged with, and which are in course of liquidation. Act not to affect rights reserved by any deed of consecration, &c.

17. In case the rent of any pew or sitting in any chapel not under the control of the vestry be not paid, it shall be lawful for any one of the committee of management of such chapel to recover such rent on complaint to a Police Magistrate, and the same proceedings shall be had on such complaint as in the case of servant's wages. Pew rents of chapels not under the control of a Vestry : how recoverable.

18. If any pew renter of such churches or chapels as aforesaid, who is not in arrears for his rents, shall be dissatisfied with the allotments, it shall be lawful for such renter within fourteen days after such allotment has been signed to appeal in writing to the Bishop of the Diocese, or in case of his absence from the Island, to his Vicar-General or Commissary who shall disallow the allotment if he shall deem it unsatisfactory or confirm the allotment if he be satisfied therewith. Any pew renter dissatisfied with an allotment may appeal to the Bishop.

19. The Acts mentioned in the schedule, to this Act shall be, and are hereby, repealed. Repeal.

LAWS OF BARBADOS

SCHEDULE.

Date of Act.	Title of Act.	Extent of Repeal.
9th April 1834.....	An Act for the better regulating the pews, sittings and seats within the several parish churches, chapels and other places of Divine worship within this Island.....	The whole Act.
30th April 1834.....	A Supplemental Act to an Act entitled "An Act for the better regulating the pews, sittings, and seats in the several parish churches, chapels, and other places of Divine worship within this Island....."	The whole Act.
29th January 1850...	An Act to amend An Act of this Island entitled "An Act for the better regulating the pews, sittings and seats in the several parish churches, chapels and other places of Divine Worship within this Island....."	The whole Act.
3rd February 1853..	An Act to amend the Act of this Island regulating the pews, sittings and seats in the several parish churches, chapels, and other places of Divine Worship 1834.....	The whole Act.
21st September 1880.	An Act to alter the law providing for the collection of the rents of the pews, sittings, and seats of the parish Churches of this Island and to provide for the better letting, and collection of the rents of the pews, sittings and seats of such chapels of the Island as now are, or hereafter may be, taken or placed under the control of the vestries.....	The whole Act.
10th November 1885.	An Act to alter and amend the law providing for the renting of the pews, sittings and seats, of the several churches and chapels of this Island, and to make other provision in lieu thereof.....	The whole Act.

SESSION OF 1889-90.

CAP. XXXII.

(Assented to 7th June, 1890.)

BARBADOS.

An Act to consolidate the Acts relating to the office of the Colonial Secretary.

BE it enacted by the Governor, Council, and Assembly of this Island, and by the authority of the same, as follows ;

1. This Act may be cited as "The Colonial Secretary's Office Act, 1890." Short title.

Correspondence and Record Branch.

2. The Colonial Secretary's department in this Island shall be divided into two branches, to be styled respectively "the correspondence branch" and "the record branch." Colonial Secretary's department divided into 2 branches.

3. The correspondence branch shall be kept distinct from the record branch, and both branches shall be under the immediate control and supervision of the Colonial Secretary, who shall be held responsible for the prompt and efficient performance of the duties of the same. These branches to be kept distinct.

Officers in office.

4. The Colonial Secretary's department in this Island shall consist of the following officers at the respective salaries affixed thereto : Officers of the department and their salaries.

A Colonial Secretary	£835 per annum.
A Messenger	£ 20 per annum.

LAWS OF BARBADOS

CORRESPONDENCE BRANCH.

A Chief Clerk	£ 300 per annum.
A Second Clerk	£ 150 per annum.
A Third Clerk	£ 100 per annum.
A Fourth Clerk	£ 75 per annum.
A Fifth Clerk	£ 50 per annum.

RECORD BRANCH.

A First Clerk	£ 200 per annum.
A Second Clerk	£ 100 per annum.
A Third Clerk	£ 60 per annum.

The foregoing sums shall be paid monthly from the public treasury of the Island by warrant of the Governor-in-Executive Committee.

5. The officers of the Colonial Secretary's Office shall from time to time be appointed by the Governor, and they shall not be engaged or concerned in trade, or other business.

Clerk of Executive Committee.

6. The duties formerly performed by the clerk of the Executive Committee and his assistant shall be performed by the correspondence branch of the Colonial Secretary's department and the rights and powers vested in and the duties performed by the clerk of the Executive Committee and his assistant shall be vested in the person having the supervision and control of the said department, and may be respectively executed and performed by any clerk of the said branch of the said department.

Clerk of Legislative Council.

7. The chief clerk of the correspondence branch shall be the clerk of the Legislative Council.

Chief Clerk of Correspondence Branch

SESSION OF 1889-90.

islative Council and shall pay over to the to be Clerk of the Colonial Secretary all the fees paid to him Legislative Council as clerk of the Legislative Council, at the &c. time when such fees are received by him from the parties paying the same.

Clerk of Ordinary &c.

8. The first clerk of the record branch. First Clerk of Record Branch to be shall be the clerk of the Court of Ordinary and also clerk of the Court of Error; Clerk of the Courts provided that the Colonial Secretary shall of Ordinary and of Error. be still responsible for the keeping of the records of the said Courts, and provided also that the said first clerk shall pay over to Provisoes. the Colonial Secretary all the fees paid to him as clerk of the Court of Ordinary and as clerk of the Court of Error, at the time when such fees are received by him from the parties paying the same.

Hours of attendance.

9. The Governor-in-Executive Committee Governor-in-Executive Committee may from time to time appoint the hours of general attendance of the respective to appoint office officers of the Colonial Secretary's office; hours, &c. and may also from time to time make regulations in relation to the performance of their duties.

Exempted as jurymen

10. No officer of the Colonial Secretary's Officers exempted office shall be compelled to serve on any from service on a jury or inquest, or on any appraisement of jury, &c. any property in this Island.

Stationery.

11. The Colonial Secretary shall be fur A sum not exceed- nished with stationery and other incidenta ing £200 a year

LAWS OF BARBADOS

authorised to be paid for stationery and to defray incidental expenses. expenses of his office at the public cost : and the Governor-in-Executive Committee is hereby authorised to issue his warrants on the Treasurer of the Island to pay any sum not exceeding two hundred pounds annually incurred for the purposes above mentioned ; and the Colonial Secretary is also hereby relieved and exempted from the payment of office rent for the rooms occupied by his office.

Fees.

The Colonial Secretary to keep a record of all fees received and pay them over to the Treasurer monthly.

12. The Colonial Secretary shall keep a daily record of all fees and emoluments received in his office on account of the public in a book to be kept for that purpose and shall pay over at the end of every month, to the Treasurer of the Island, the amount of all fees and emoluments received by himself as Secretary of the Island, as Notary Public, and from the clerk of the Legislative Council and the clerk of the Court of Ordinary and the Court of Error, and at the time of paying over the same, he shall deliver and leave with the Treasurer, a detailed and classified statement and account in writing of the sums of money received by him during the month, in order that such statement and account may be laid before the Auditor-General of the Island for examination, who is hereby authorised and required to examine quarterly the books of the office, in which such fees and emoluments are entered.

Auditor General to examine the fee books quarterly.

Fees specified in the schedule to be paid for the benefit of the General revenue.

13. The Colonial Secretary shall, in respect of the several matters and things specified in the schedule to this Act be entitled to demand and receive for the

SESSION OF 1889-90.

benefit of the general revenue the several fees specified in the said schedule.

Notary Public.

14. The person executing the office of Colonial Secretary for the time being shall be authorized and empowered, and he is hereby authorized and empowered, to protest bills of exchange for non-acceptance or non-payment; and to receive and enter protests in mercantile matters, and to take depositions in writing relating thereto; and to attest procurations and powers of attorney; and to do all other acts relating to matters mercantile, and no others, as notaries public do in England. Colonial Secretary empowered to act as Notary Public in all mercantile cases.

15. The person so executing the office of Colonial Secretary for the time being shall not be, nor compellable to be, Registrar of any Court of Admiralty, to be held in this Island for the trial of pirates, by virtue of any commission issued, or to be issued pursuant to a certain Act or Statute made at Westminster, in the eleventh year of William the Third, entitled, "An Act for the more effectual suppression of piracy." Colonial Secretary not to be Registrar of any Court of Admiralty held for the trial of pirates.

16. If any person or persons other than the person or persons executing the office of Secretary of this Island for the time being, shall do any act as a notary or tabellion-public in this Island, by virtue or colour of any power or authority from any person or persons whatsoever, other than and except Her Majesty and her successors; every such person or persons so acting, shall for every such act by him to be done as a notary or tabellion-public, forfeit the sum of sixty pounds sterling money of this Island; Any other person acting as a Notary Public unless appointed by Her Majesty to forfeit £60 for every act done in that capacity.

LAWS OF BARBADOS

to be recovered as in case of servant's wages ; one half thereof to be the use of the informer, and the other half thereof to the use of the public treasury of this Island.

Amalgamation of Secretary's and Audit Office.

Offices of Colonial Secretary and Auditor General to be combined as soon as practicable.

17. As soon as it is possible without prejudice to existing holders to effect the combination, the offices of Colonial Secretary and of Auditor General shall be combined, and the several duties now performed by the Colonial Secretary and the Auditor General shall be performed by one and the same individual.

Title and salary of holder of combined offices.

18. The person holding the combined offices shall be called the Colonial Secretary and Auditor General, and shall receive from the public treasury, on the warrant of the Governor-in-Executive Committee, by equal monthly instalments an annual salary of eight hundred pounds.

Audit Office to be branch of combined departments.

19. The department under the supervision and control of the holder of the said combined offices shall comprise in addition to the other branches thereof an audit branch.

And to be subject to enactments now regulating the Auditor General's Department.

20. The several enactments now regulating and affecting the Auditor General's Department shall regulate and affect in the same manner and to the same extent the audit branch of the department under the supervision and control of the holder of the said combined offices, and wherever in any of the said enactments the Auditor General is mentioned and referred to, the holder of the said combined offices shall be deemed to be the person mentioned or referred to.

Holder of combined offices to re-

21. The holder of the said combined offices shall not be entitled to receive in addi-

SESSION OF 1889-90.

tion to the salary given in this Act any salary, fees, or emoluments given by any now existing Act to the Colonial Secretary or Auditor General. ceive only the salary given by this Act.

22. Nothing in this Act contained shall in any way affect the operation of "The Registration Office Act, 1887." Saving.

Repeal.

23. The Acts mentioned in schedule B to this Act annexed are hereby repealed. Repeal.

SCHEDULE A.

1.

£ s. d.

1. Recording each certificate and affidavit or affirmation annexed to any instrument executed or made in Eng land or elsewhere per each folio of 90 words.....	0	6
2. Recording a plot.....	10	0
3. Recording a probate	1	8
4. Recording a receipt to a sale or to any other document	1	8
5. Recording or copying papers of any kind other than those hereinbefore mentioned per each folio of 90 words.....	0	6

2.

1. Search for any record by any person other than a mem- ber of the legal profession or his clerk on his behalf, for each year.....	6
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LAWS OF BARBADOS

2. The perusal of any record by any person other than a member of the legal pro- fession or his clerk on his behalf.....	1 8
3. Certificate of search made, for each year.....	2 0

3.

1. Taking a recognizance.....	8 4
2. Issuing every citation, not to contain more than three names.....	5 0
3. For copying proceedings, evi- dence, &c. ; per folio of 90 words.....	0 6
4. On every final order made on the hearing of an appeal...	5 0
5. Certifying same to clerk of the Assistant Court of Appeal	2 6
6. Taxing every bill of costs.....	2 0

4.

1. The allowance of any writ- ing under the seal of any city, borough or town corpo- porate.....	5 0
2. A warrant of survey.....	5 0
3. Great Seal of the island affixed to any paper.....	1 0 0
4. Allowance for a parish levy and execution.....	1 0 0
5. Upon passing a private bill...	3 6 8
6, Taking a bond and issuing a marriage license.....	16 8

SESSION OF 1889-90.

5.

1. For noting a protest on a bill or vessel.....	4	2
2. Drawing a protest on a bill and recording the same....	12	6
3. Drawing a protest for a ves- sel, administering oath to seamen if required and re- cording same	3	2 6
4. Drawing certificate or depo- sition, and affixing seal of office, and administering oath, if required.....	16	8
5. Affixing seal of office only to any certificate and adminis- tering oath if required.....	6	0
6. For marking each paper as an exhibit.....	2	0

LAWS OF BARBADOS

SCHEDULE B.

Date of Act.	Title of Act.	Extent of Repeal.
7th June 1720....	An Act appointing the persons executing the office of Secretary of this Island for the time being, to act as notaries public in mercantile cases....	The whole Act.
10th March 1879..	An Act to provide for the organization of the Colonial Secretary's Office.....	The whole Act.
17th July 1882....	An Act entitled, An Act to regulate such fees as are now by force of custom payable to the Colonial Secretary, and to provide for the payment to him out of the public treasury of a fixed annual sum in lieu of such fees as are now receivable by him as a notary public.....	The whole Act.
6th July 1887....	An Act to amalgamate the offices of Colonial Secretary and Auditor General and to require the duties now performed by the Clerk of the Executive Committee and his assistants to be performed by the Colonial Secretary's Department.....	The whole Act.

SESSION OF 1889-90.

CAP. XXXIII.

(Assented to 7th June, 1890.)

BARBADOS.

An Act to consolidate the Acts relating to medical registration in this Island.

BE it enacted by the Governor, Council, and Assembly of this Island and by the authority of the same as follows ;

Short title.

1. This Act may be cited as "The Medical Registration Act, 1890."

Short title.

Interpretation.

2. The words "legally qualified medical practitioner," or "duly qualified medical practitioner," or any words importing a person recognized by law as a medical practitioner or member of the medical profession, when used in any Act of this Island, shall be construed to mean a person registered under this Act.

Construction.

Register.

3. It shall be the duty of the Colonial Secretary of this Island to keep a register, to be called "The Medical Register," of all medical practitioners in this Island who shall desire, and be entitled, to be registered, and who shall produce to him a certificate or affidavit of their qualification as herein-after mentioned ; and the Colonial Secretary for the time being of this Island shall be the Registrar under this Act.

Colonial Secretary
to keep the Medical
Register.

Registration.

4. Every person now possessed of, and

Qualifications re-

LAWS OF BARBADOS

quired by persons subject to the provisions hereinafter contained, every person hereafter becoming possessed of any one or more of the qualifications described in schedule 'A' to this Act, and who shall desire to be registered, shall, on payment to the Registrar of a fee of five shillings, be entitled to have his name placed on the Medical Register on producing to the Registrar the certificate of the Medical Assessors hereinafter mentioned, that he is possessed of one or more of the qualifications mentioned in schedule 'A' to this Act.

Medical Assessors.

Appointment and
duties of Medical
Assessors.

5. The Governor-in-Executive Committee shall appoint three persons possessed of one or more of the qualifications mentioned in schedule 'A' to this Act, practising in this Island, to act as Medical Assessors, and the Registrar shall upon payment by each of them of a fee of five shillings, place their names on the Medical Register, and the Governor-in-Executive Committee shall also from time to time as a vacancy shall occur by death, resignation, or otherwise, in the office of the medical assessors, fill the same from the registered medical practitioners, practising in this Island; and it shall be the duty of the Medical Assessors without any fee or reward, on application being made to them by any person desiring to be registered under this Act, within fifteen days thereafter, to meet together and examine the document or documents evidencing the qualification of the person desiring to be registered, and in case it shall appear to the Medical Assessors that such applicant is possessed of one or more of the qualifications mentioned in schedule 'A' to this Act, to

SESSION OF 1889-90.

grant him a certificate in the form in schedule 'B' to this Act, and such person on producing to the Registrar the certificate, and on payment to him of a fee of five shillings shall be entitled to be registered. The Governor-in-Executive Committee may from time to time displace any assessor or assessors and appoint another or others in his or their place or places.

Publication of List of registered Practitioners.

6. The Registrar shall in the month of January in every year, cause to be printed and published in the Official Gazette of this Island, the names and addresses of the medical assessors, and three correct lists each in alphabetical order according to surnames of persons appearing on the Medical Register on the first day of January in every year with their medical titles; and the first of these lists [to be marked "A"] shall contain the names of all those persons certified by the Assessors to be possessed of one or more of the qualifications mentioned in schedule A to this Act, whose document or documents evidencing their qualifications to be registered, do not disclose that they have studied a particular system of medicine only, and the second list [to be marked "B"] shall contain the names of all those persons certified by the Assessors to be possessed of one or more of the qualifications mentioned in schedule A to this Act, whose document or documents evidencing their qualifications to be registered disclose that they have studied a particular system of medicine, only, and the third list [to be marked "C"] shall contain the names of all other persons whose names are lawfully on the Register, and

Names of persons on the Register classified in 3 divisions to be published every year.

LAWS OF BARBADOS.

a copy of the Official Gazette for the year in which the same is last published shall be evidence in all courts, and before all Justices of the Peace and others, that the persons therein named are registered according to the provisions of this Act; provided always that in the case of any person whose name does not appear in the Official Gazette last published as aforesaid, a certificate under the hand of the Registrar shall be evidence that such person is registered under the provisions of this Act; and the Registrar shall, on application for such a certificate, grant the same on payment of a fee of two shillings and sixpence.

Registration of additional qualification.

Person registered
may have qualifica-
tions subsequently
obtained, inserted
in the Register.

7. Every person registered under this Act who may have obtained or may obtain any higher degree or any qualification other than the qualification in respect of which he may have been registered, shall be entitled to have such higher degree or additional qualification inserted in the register in substitution for or in addition to the qualification previously registered, free of charge, on producing a certificate, under the hands of the said assessors, that he has obtained such higher degree or additional qualification; and the assessors are hereby authorised and required to grant the certificate on application to them for the same, and on the applicant producing to them the document or documents evidencing the higher degree or additional qualification.

Appeal from Assessors.

Applicant for

8. In case any applicant for registration

SESSION OF 1889-90.

shall be dissatisfied with the decision of the Assessors, it shall be lawful for such applicant to appeal to the Chief Judge of this Island in Chambers, by petition to be lodged with the Registrar, and the Registrar shall within ten days after the same is lodged, bring the same to the notice of the Chief Judge, who, with the assistance, if he shall require it, of two duly qualified medical practitioners, other than the said Assessors, shall hear and determine such appeal, and in case the Chief Judge, in Chambers, with such assistance (if he shall require it) as aforesaid, shall think the applicant duly qualified and entitled to be registered under this Act, he shall direct the Registrar to place the name of the applicant on the Medical Register.

Registration may
Appeal from the Assessors decision to
the Chief Judge in
Chambers.

Erasure of name of registered Practitioner.

9. If any medical practitioner shall be convicted of any felony or be deprived of the qualification or qualifications under which he is registered by the body or bodies which granted it or them the Registrar shall erase the name of such medical practitioner from the Register; and on the death of any medical practitioner, the Registrar shall erase his name from the Register.

Registered practitioners' name to
be erased if he is
convicted of felony
or loses his qualification or dies.

Recovery of Fees.

10. No person shall be entitled to recover any charge in any court of law for any medical or surgical advice or attendance, or for the performance of any operation or for any medicine which he shall have both prescribed and supplied unless he shall prove upon the trial that he is registered under this Act.

Only registered practitioners entitled to recover fees.

LAWS OF BARBADOS

Qualification for certain appointments.

Or to hold certain appointments.

11. No person shall hold any appointment as a physician, surgeon, or other medical office in any hospital, infirmary, dispensary, lunatic asylum; gaol, penitentiary, house of correction, police station, lazaretto, or other public establishment, body or institution, or to any friendly or other society for affording mutual assistance in sickness, infirmity, or old age, or as a medical officer of health, or as medical attendant on the poor of any parish, unless he shall be registered under this Act.

Certificate invalid if not given by registered Practitioner.

Or to sign a certificate required by any law.

12. No certificate required by any Act now in force or that may hereafter be passed, from any physician, or surgeon, or licentiate in medicine and surgery, shall be valid unless the persons signing the same shall be registered under this Act.

Benefits of Registration.

Privileges of registered practitioners.

13. Every person registered under this Act shall be entitled, according to his qualification, to practice medicine or surgery, or medicine and surgery in this Island, and to demand and recover in any court of law or judicature, with full cost of suit, reasonable charges for professional aid, advice and visits and the cost of any medicines or other medical or surgical appliances, rendered or supplied by him to his patients. Provided always that nothing in this section shall prevent any person who is now practising both medicine and surgery, and who is registered under this Act from being entitled

Proviso.

SESSION OF 1889-90.

to practise both medicine and surgery, and to demand and recover his reasonable professional charges as if duly qualified to practise both medicine and surgery.

Registration by means of false pretences.

14. If any person shall wilfully procure or attempt to procure himself to be registered under this Act, by making or producing, or causing to be made or produced, any false or fraudulent representation or declaration either verbally or in writing, every such person so offending, and every person aiding and assisting him therein, shall be liable to a penalty not exceeding twenty pounds to be recovered before a police magistrate in a summary manner, or in default of payment to be imprisoned for any term not exceeding three months.

Person obtaining registration by false representations liable to a penalty not exceeding £20.

Quacks.

15. Any person who shall wilfully and falsely pretend to be, or take or use the name or title of a physician, doctor of medicine, licentiate in medicine and surgery, bachelor of medicine, surgeon, general practitioner, or any name, title, addition, or description implying that he is registered under this Act, or that he is recognized by law as a physician or surgeon, or licentiate in medicine and surgery, or a practitioner in medicine, shall on a summary conviction before any police magistrate, for any such offence, pay a sum not exceeding twenty pounds into the public treasury for the use of the Island, or in default of payment be imprisoned for any term not exceeding three months.

Penalty for falsely pretending to be a registered practitioner.

a qualification entitling him to be registered
and to practice medicine and surgery in the
United Kingdom under the Colonial Surgeons Act or
Acts now in force there shall be paid into any Act or Acts
which may hereafter be the benefit of the passed or be in force
there or who shall have been or may here-
after be duly registered under the said Act.

Schedule C to
SCHEDULE B. sealed ; pro-

We do hereby certify that we have examined the documents evidencing the qualification of A. B. to be registered under "The Medical Registration Act, 1890," and we thereby find that the said A. B. is a fellow, (or member, &c., as the case may be as in schedule 'A' to this Act,) and is entitled to be registered under this Act in list (A, B, or C as the case may be.)

C.D. }
E.F. } ASSESSORS.
G.H. }

SCHEDULE C.

Date of Act.	Title of Act.	Extent of Repeal.
15th August 1885.	An Act to establish a system of medical registration in this Island	The whole Act.
6th June 1887.	An Act to amend "The Medical Registration Act, 1885....."	The whole Act.

SESSION OF 1889-90.

CAP. XXXIV.

(Assented to 14th June, 1890.)

ARBADOS.

An Act to consolidate the Acts relating to the land police; harbour police; and writ officers.

BE it enacted by the Governor, Council, and Assembly of this Island, and by the authority of the same, as follows;

Short Title.

1. This Act may be cited as "The Police Act, 1890." Short title.

Interpretation.

2. In this Act, if not inconsistent with the context, the term "police force" shall mean and include the land police, and the harbour police, combined into one force, and the term "constable" shall mean and include every member of the land police or harbour police as herein defined, except a groom. Meaning of terms.

Division.

3. This Act is divided into seven parts as follows;

PART 1—Constitution of the police force,
 PART 2—General provisions.
 PART 3—The land police.
 PART 4—The harbour police.
 PART 5—Execution of writs, &c.
 PART 6—Reward fund.
 PART 7—Miscellaneous provisions.

PART I.

CONSTITUTION OF THE POLICE FORCE.

4. The police force shall be composed of the following persons who shall be paid salaries at the following yearly rates, that is to say, Strength of Police Force and Salaries.

LAWS OF BARBADOS

An Inspector General.....	£600	0	0
An Inspector.....	£300	0	0

Land police.

One Chief Clerk	£ 77	0	0
One Sergeant Major.....	£150	0	0
Eleven Sergeants..... each.....	£ 77	0	0
Twenty one corporals, each.....	£ 55	0	0
Fifty privates, each.....	£ 50	0	0
One hundred privates, each.....	£ 45	0	0
One hundred and thirty privates,..... each.....	£ 40	0	0
Seventeen grooms, ... each.....	£ 12	10	0

Harbour police.

One sergeant major.....	£100	0	0
Four corporals,..... each.....	£ 62	10	0
Thirty five privates, ... each.....	£ 48	0	0

Powers of Governor in Executive Committee.

5. It shall be lawful for the Governor-in-Executive Committee when and so often as is necessary, but subject to the provisions of the next following section of this Act, to do all or any of the following things, namely ;

- (1) to reduce or increase the number of persons composing the police force, but so as not to increase the number beyond the number provided for by section four of this Act.
- (2) to reduce or increase the number of horses kept for the use of the land police force.
- (3) to close any police stations, and
- (4) to rent any guard houses that may from time to time be required for the use of the police force.

Restrictions on the exercise of such powers.

6. The power conferred on the Governor-in-Executive Committee under the provisions of section five of this Act, shall be exercised

SESSION OF 1889-90.

in accordance with, and subject to the following provisions, namely ;

- (1) every resolution of the Governor in Executive Committee shall be of no effect unless and until it shall have received the sanction of both branches of the legislature.
- (2) any such resolution necessitating the expenditure of public money shall be of no effect unless and until the Legislature shall on the passing of the annual estimates or by special resolution have granted out of the public treasury the money required.
- (3) No person shall be dismissed from the police force before the expiration of the year for which he has been enrolled or re-enrolled, but it shall be lawful not to re-enroll any member of the said force on the termination of the period for which he was enrolled or re-enrolled, and
- (4) every person who ceases to be a member of the police force shall be entitled to a refund of all deductions made from his pay in aid of the reward fund and of all accumulations of interest thereon at compound interest.

Inspector General.

7. It shall be lawful for the Governor from time to time to appoint a fit and proper person to have the control and command of the police force under the title of the Inspector General of police. The Inspector General shall be subject to the general order and direction of the Governor, and shall be responsible for the efficient administration and

Governor to appoint Inspector General. Responsibility of Inspector General.

LAWS OF BARBADOS

government of the police force and for the proper expenditure of all moneys voted by the Legislature for the service thereof.

Inspector General to be *ex officio* Superintendent of Fire Brigade.

8. (1) The Inspector General of Police shall be *ex officio* superintendent of the Fire Brigade and shall receive the salary attached to that office.

Inspector to be Assistant Superintendent.

(2) The Inspector of Police shall be *ex officio* Assistant Superintendent of the Fire Brigade and shall receive the salary attached to that Office.

Inspector General to be *ex officio* Justice of the Peace.

9. The Inspector General shall be *ex officio* a justice of the peace, but only for the purposes of the preservation of the peace, the prevention of crime, the detection and committal of offenders, and for the other purposes of this Act. He shall with a view to the efficiency of the police force and upholding the morale of the same be furnished with quarters and required to reside at the Central Police Station.

To reside at Central Police Station.

Governor in Executive Committee may require him to reside elsewhere.

10. The Inspector General shall on the direction of the Governor-in-Executive Committee reside at a place outside the Central Police Station but within one mile of the limits of the City of Bridgetown during such portion of the year as the Governor-in-Executive Committee may determine.

Special powers of Inspector General.

11. Besides the general powers in this Act conferred on the Inspector General, he shall also be vested with the following powers and rights ;

- (1.) to suspend any member of the force except the Inspector, for misconduct or neglect of duty and to place him under arrest, pending an investigation into his conduct ;

SESSION OF 1889-90.

- (2.) to inflict a fine not exceeding twenty shillings on any member of the force, except the Inspector, for misconduct or neglect of duty, such fine to be deducted from the next or the two next issues of pay to such member of the force ;
- (3.) to punish any member of the force except the Inspector, for misconduct or neglect of duty by ordering him to perform extra duties, or extra drill, or by stopping his leave at discretion.

12. The Inspector General of Police shall be held responsible for all public moneys which shall come into his charge or custody, unless the circumstances attending the loss of the same shall be such as shall be deemed by the Governor-in-Executive Committee sufficient to absolve him from such responsibility.

To be responsible for all public moneys coming into his charge.

13. In every case of serious misconduct or neglect of duty on the part of any member of the force, except the Inspector, the Inspector General shall cause a written charge or complaint to be delivered to such member of the force, and shall thereupon proceed to hold an investigation on oath into the truth of such charge or complaint, and if it appears that the offence is of too serious a nature to be dealt with by him under the powers by this Act conferred on him he shall transmit the evidence and proceedings to the Governor with a recommendation that such member of the force be deprived of his good-conduct badge or badges or be reduced from his rank or grade to another rank or grade below his own, or be

Cases of serious misconduct of any member of the force how dealt with.

LAWS OF BARBADOS

dismissed from the force. On receiving such recommendation the Governor shall make such order thereupon as to him shall seem just.

Appeal from Inspector General's decision to Governor.

14. In case any member of the force who may have been ordered by the Inspector General to undergo any punishment shall desire to make a written appeal to the Governor against his decision it shall be his duty to suspend the carrying out of such punishment and to transmit the appeal to His Excellency for his order thereon.

Inspector General to perform duties in Schedule A.

15. Besides the general duties imposed on the Inspector General by this Act, he shall be required to perform the duties specified in schedule A to this Act.

The Inspector.

Governor to appoint Inspector.

16. It shall be lawful for the Governor from time to time to appoint a fit and proper person to be second in command of the police force under the title of Inspector of police.

His position and duties.

17. The Inspector shall be subject to the order and direction of the Inspector General, and his duties in connection with the force shall be such as the Governor may from time to time approve.

Inspector to be ex-officio a Justice of the Peace.

18. The Inspector shall be ex-officio a justice of the peace, but only for the purposes of the preservation of the peace, the prevention of crime, the detection and committal of offenders and for the other purposes of this Act. He shall be required to

Where to reside.

reside at the central police station or the harbour police station in the City of Bridgetown, in such quarters as shall be provided for him for that purpose.

SESSION OF 1889-90.

The Sergeant Majors.

19. The sergeant majors shall be subject to the order and direction of the Inspector General and the Inspector, and their respective duties in connection with the force shall be such as the Inspector General may from time to time appoint. Their position and duties.

20. The sergeant major of the land police shall be furnished with quarters at the central police station in the City of Bridgetown, and the sergeant major of the harbour police shall be furnished with quarters at, or in close proximity to the harbour police station. Quarters of Sergeant Majors.

PART II.

GENERAL PROVISIONS.

Appointment.

21. The Governor may from time to time as occasion shall require, appoint and proper persons to serve in such of the several ranks and grades of the police force, as are subordinate to those of Inspector General and Inspector, and he may also from time to time remove or dismiss such persons for such cause as to him shall seem just, and any person so appointed shall be enrolled by the Inspector General in the manner hereinafter mentioned. Governor to appoint and dismiss subordinate members of the force.

Enrolment.

22. With respect to the original enrolment of constables the following provisions shall have effect, that is to say ; Qualifications for enrolment.

- (1) No person shall be enrolled who,
- (a) is less than twenty one or more

LAWS OF BARBADOS

than thirty five years of age, unless he has previously served at least two years in the police force ;

(b.) is not of the required height and chest measurement according to a standard to be fixed from time to time by the Governor ;

(c) does not satisfactorily pass a medical examination as to his bodily fitness to be held by the medical officer of the central police station, and if the Governor shall think fit by another duly qualified medical practitioner ;

(d) does not produce satisfactory proof of good character for energy, ability and honesty, and that he is able to read and write, and read writing.

**Enrolment to be
for one year.**

(2) Subject to the provisions hereinafter contained, enrolment shall be for a period of one year, but at the end of that year the constable if of good character and qualified as herein stated for further service shall have the option of re-enrolment for another like period and so on, year by year.

**Oaths to be taken
by members of the
force.**

23. Every member of the police force on being appointed or enrolled shall take the oath of allegiance and the oath of office in the manner provided in "The promissory oaths Act, 1870," and on being so sworn he shall have all such powers, authorities, privileges and advantages, and be liable to all such duties and responsibilities as any constable duly appointed now has, or may hereafter have, either by the common law or by

SESSION OF 1889-90.

virtue of any statute or law which now is or may hereafter be in force in this Colony.

24. For the first three months of his original enrolment every constable shall be deemed to be on probation, and during that period if found to be wanting in intelligence or otherwise unfit for the force his services may be dispensed with by the Inspector General, but at the end of that period his enrolment shall be deemed to be duly confirmed. The provisions of this section shall apply to all persons who leave the force and are subsequently re-enrolled therein.

Clothing and equipment.

25. Each of the commissioned officers of the Police Force shall be furnished with a suitable uniform and they and the members of the police force, shall be clothed, armed and equipped at the public expense in such manner as the Governor-in-Executive Committee may from time to time direct and provide.

26. Every constable shall be furnished with a cot, bolster and blanket.

27. No member of the force shall be entitled to keep or retain any article whatsoever supplied to him at the public expense for his own private use or benefit, but he shall hold every such article at the order and disposal of the Governor in Executive Committee.

28. Every member of the force who shall be dismissed therefrom or who shall resign his office therein or shall otherwise leave the force, shall immediately deliver up to the person appointed by the Inspector

Constable to be on probation for first three months of his original enrolment.

All members of the force to be clothed armed and equipped at the public expense.

Cots &c., to be supplied to constables.

Articles supplied to be at disposal of Governor in Executive Committee.

Members dismissed or resigning to deliver up all articles supplied.

LAWS OF BARBADOS

Penalty.

General to receive such articles, every article whatsoever which has been supplied to him at the public expense and which he has not been expressly authorised to keep for his own private use, and in default thereof he shall be liable to a penalty of double the value of the article not delivered up.

Recovery and disposal of penalty.

29 Such penalty may be recovered on complaint of the Inspector General before any police Magistrate, and in default of payment the offender shall be liable to imprisonment for a term not exceeding three months with or without hard labour; and every such penalty when recovered shall be paid into the treasury to the credit of the general revenue.

Quitting the force and deserting.

Governor may grant a discharge from the force.

Liability incurred by quitting the force without a discharge.

30. If any member of the police force shall desire to quit the force before the expiration of his period of probation or time of enrolment he may obtain his discharge by special permission of the Governor. In case any member of the force shall quit the service without having obtained any such discharge, he shall be liable, if a sergeant major or a sergeant, to a penalty of fourteen pounds, and if a corporal or private to a penalty of ten pounds; and in addition to such penalties every member of the force thus deserting shall forfeit all pay then due to him.

Penalty on assisting deserters.

31. Every person who shall assist any deserter, knowing him to be such, in deserting and concealing himself shall be liable to a penalty not exceeding fourteen pounds.

SESSION OF 1889-90.

32. Such penalties respectively may be recovered on complaint of the Inspector General before any police magistrate, and in default of payment the offender shall be liable to imprisonment for any term not exceeding three months, with or without hard labour. Any such penalties when recovered shall be paid into the treasury to the credit of the general revenue.

Messing.

33. Every unmarried member of the police force, and also any married member of the force whose family reside beyond one mile from the station to which any such member of the force may be attached shall be severally provided with sufficient good and wholesome food and mess-traps in such manner, at such times, and at such places as the Inspector General with the approval of the Governor, may from time to time direct and appoint. The cost of the food and mess-traps, with the expense of providing the same, shall be defrayed by the members of the force to whom the same are supplied, and shall be deducted in each month from the pay of the members of the force supplied therewith;

Members of the force who are unmarried or whose families reside beyond one mile from their station to be messed.
Cost of food and mess-traps to be borne by the men.

34. A military tin or canteen shall, at the public expense, be provided for each member of the force to whom the last preceding section of this Act applies.

Military tin supplied at public expense.

Rules and regulations.

35. It shall be lawful for the Inspector General with the approval of the Governor to make and ordain such rules and regulations and from time to time with the like approval to alter, add to, vary, or an-

Inspector General with Governor's approval to make rules

LAWS OF BARBADOS

And acquaint members of force therewith.

nul the same, as may be found necessary or deemed expedient for the good ordering and government of the police force, for the due execution of all writs and other processes entrusted to the police for execution, for the due accounting for all moneys, goods or chattels that may be received by any officer in the execution of any writ or other process and generally in connection with the administration of the force, and the members of the force shall be made duly acquainted with the same and shall be and are hereby required to conform themselves thereto.

Governor in Executive Committee to make rules to regulate traffic in Bridgetown and Speightstown and boats in Carlisle Bay.

36. It shall be lawful for the Governor-in-Executive Committee from time to time as occasion may require to make rules and regulations for the route to be observed by all carts, carriages, and other vehicles, and all horses and persons in the City of Bridgetown and in Speightstown, and for the regulation of the traffic and the prevention of obstruction in the streets, thoroughfares and public wharves of Bridgetown and Speightstown and for controlling the movements of private and passenger boats in to and from Carlisle Bay.

Such rules and regulations when they shall have received the sanction of both houses of the Legislature and shall have been published in the Official Gazette shall have the force and effect of law and shall be binding on all persons.

Any person willfully infringing any such rule may be arrested and fined.

37. Any person who shall, wilfully infringe any of the said rules and regulations after they have been published in the Official Gazette as aforesaid, may be arrested by any member of the police force or other constable who may see such offence committed or

SESSION OF 1889-90.

be brought up by summons before a police magistrate, and for every such offence he shall be liable to a fine not exceeding two pounds or to imprisonment with or without hard labour for any period not exceeding one month, unless such fine shall be sooner paid; and all fines and penalties received under this section shall be paid into the treasury to the credit of the general revenue.

38. Provided always that none of such rules and regulations shall provide for the expenditure of any public money.

Rules not to provide for expending public money.

Vesting Buildings, &c

39. All the lands, buildings and other property whatsoever, whether real or personal belonging to or connected with the police force, shall on the passing of this Act, vest in the Executive Committee, and such Committee, shall be and is hereby charged with the care, control, and reparation of the same.

Lands &c., connected with Police Force vested in Executive Committee.

40. The Executive Committee shall;

- (a) take care that the force is at all times properly and efficiently supplied according to the provisions of this Act with horses and all necessary things for the good government of the service;
- (b) make any alterations in the said buildings as may be necessary;
- (c) rent such additional station house; as may be required for the services;
- (d) make provision for having the members of the force who are to be messes as aforesaid supplied with mess-traps and a tin or canteen;
- (e) make provision for having the

Duties of Executive Committee in respect of such land, &c.,

LAWS OF BARBADOS

horses supplied with sufficient provender ;

- (f) make provision for the keeping in repair of the stations, and for the furnishing of such medicines and other supplies as may be necessary for the service, and
- (g) sell, from time to time, any of the horses, property and things belonging to the force, and pay the money arising therefrom into the public treasury of the Island.

Enrolment of police for special occasions.

Inspector General with Governor's sanction may enrol supernumeraries for special duties.

41. Whenever application shall be made to the Inspector General by any person for a constable or constables to be employed in their service, and on special duties, the Inspector General shall, with the sanction of the Governor, enroll men as supernumeraries who shall be employed on such special service.

Men so enrolled to be subject to the rules of the force

42. The men so enrolled and employed shall be considered to all intents and purposes as belonging to the police force, and shall be subject to the rules, regulations and orders for the good government of the force, and to all the provisions of this Act as regards the discipline, punishment, powers and immunities of the regular members of the police force.

Pay and expenses of supernumeraries and cost of Uniform by whom defrayed.

43. The pay and expenses of such supernumeraries shall be defrayed by the persons requiring their services, and the pay shall be at a rate to be fixed by the Inspector General and not exceeding fifty pounds per annum, and such person shall also defray the cost of uniform and any other reasonable expense which the Governor-in-Executive Committee may decide upon as

SESSION OF 1889-90.

necessary to be paid. Such pay and expenses shall be paid monthly in advance into the public treasury to the credit of the general revenue

44. Any sum payable under the last preceding section of this Act may be recovered before any police magistrate on the complaint of the Inspector General from the person rendered liable by that section to pay the same in the same manner as servants wages. **Recovery of sums payable under section 43.**

45. Whenever it shall be desired by persons availing themselves of the services of any such supernumeraries, to have such services discontinued they shall give one months notice thereof to the Inspector General. **Discontinuance of services of supernumeraries.**

46. The pay of the supernumeraries shall not be subject to deduction towards the reward fund, nor shall any supernumerary have any claim upon the said fund. **No reward fund for supernumeraries.**

Offences.

47. Every constable who shall begin, arise, abet, countenance or excite mutiny or cause or join in any sedition or disturbance in the company to which he belongs or in any party, post, detachment or guard on any pretence whatsoever, or who being present at any assemblage tending to riot shall not use his utmost endeavours to suppress the same, or coming to the knowledge of any mutiny, rebellion or insurrection shall not without delay give information thereof to the police magistrate or some justice of the peace of his district, or who shall strike the police magistrate of his district or any superior officer under whom he may be placed, or **Constables triable by Police Magistrates for certain offences of the nature of insubordination.**

LAWS OF BARBADOS.

who shall draw or offer to draw, or lift up any weapon or offer any violence against him, or shall challenge or send to or cause to be sent any challenge to his superior officer or who shall affront him, shall be liable to be tried before the police magistrate of the district wherein any or either of the said offences shall have been committed, and may be placed under arrest by any superior officer under whose order or command he may then be until he shall have been tried by such police magistrate, and on being convicted of any or either of the said offences by the police magistrate shall suffer such fine and imprisonment, or either, as the police magistrate shall inflict or award, such fine not to exceed thirty pounds, and such imprisonment not to exceed twelve months; and such fine is to be levied and raised as in the case of servants' wages, and paid into the treasury to the credit of the general revenue.

48. Every constable who shall disobey any lawful command of his superior officer, or who shall refuse or neglect to perform such duty as shall be legally required of him, or who shall without leave of his commanding officer leave or quit his company or any party, detachment, or guard thereof or who shall advise or persuade any other officer or private to quit his company or any party, detachment or guard thereof without leave from his commanding officer, shall be liable to be tried before the police magistrate of the district wherein any or either of the said offences shall have been committed, and may be placed under arrest by any superior officer under whose order or command he may

Penalty on disobedience of orders or neglect of duty or other similar offences.

SESSION OF 1889-90.

then be, until he shall have been tried by such police magistrate, and on being convicted of any or either of the said offences by the police magistrate shall suffer such fine and imprisonment, or either, as the police magistrate shall inflict or award, such fine not to exceed fifteen pounds and such imprisonment not to exceed six months; and such fine is to be levied and raised as in the case of servants' wages, and paid into the treasury to the credit of the general revenue.

49. If any constable shall be guilty of any neglect or violation of duty in his office other than those mentioned in the two last preceding sections of this Act, he shall for every such offence on conviction thereof before the police magistrate of the district be liable to a penalty not exceeding six pounds, and the amount of such penalty may be deducted from any pay accruing due to such offender under this Act upon a certificate thereof to be transmitted by such police magistrate to the Inspector General, and in default of payment it shall be lawful for the police magistrate to commit the offender to prison for any term not exceeding three months, with or without hard labour. All penalties to be so levied shall be paid into the treasury to the credit of the general revenue.

Penalty for neglect of duty other than that named in sections 47 and 48.

50. In any trial before a police magistrate for any offence under the three last preceding sections of this Act, the Inspector General shall associate himself and sit with the police magistrate hearing the case as assessor; provided always that if the magistrate and the Inspector General shall not agree together in the judgment, the judgment of the magistrate shall be the

Inspector General to sit as assessor with Police Magistrate.

Magistrates opinion to be Courts decision.

LAWS OF BARBADOS

Right of Appeal. judgment of the Court ; provided also that the fact of the Inspector General's being so associated and sitting with the police magistrate shall not in any way take away or prejudice the right of appeal of any person to the Assistant [Court of Appeal and from that Court to the Court of Error in the usual course.

Offence against Magistrate to be heard by Magistrate of adjoining district.

51. If any offence with which any constable be charged, shall be charged, to have been committed against the police magistrate of the district in which the offence is charged to have been committed, in such case the complaint shall be made and heard before a police magistrate of any adjoining district.

If officer of Magistrates' Court is complainant the venue may be changed.

52. If any complaint shall be brought by an officer of the magistrate's court in the court of which he is an officer, the magistrate shall, if the defendant shall ask him to do so, order that the venue be changed, and that the complaint be sent for hearing to the magistrate of any adjoining district of which he is not the magistrate ; and the clerk of the first mentioned court shall forthwith transmit by post to the clerk of the last mentioned court, a certified copy of the complaint as entered in the complaint book, the duplicate copy of the complaint and particulars served on the defendant, and a certified copy of the order for changing the venue as entered in the minute book ; and the police magistrate of such adjoining district shall appoint a day for hearing, notice whereof shall be sent by post or otherwise by the clerk of such last mentioned court to both parties.

Penalty on using

53. If any constable shall on any pre-

SESSION OF 1889-90.

tence whatsoever use any horse or boat belonging to the service, committed to his care except on the public service, or ill use or abuse the same, or shall sell, lose, barter, or spoil any of his arms, clothing or accoutrements, he shall be liable to instant dismissal from the force, and in addition to any other punishment which the law may direct, may be proceeded against in a summary manner on the complaint of the Inspector General before a police magistrate for the recovery of a sum equal to that required to repair the damage done. Every sum recovered under the provisions of this section shall be paid into the treasury to the credit of the general revenue.

Medical attendance.

54. Duty qualified medical men shall be appointed by the Governor, one for the central and harbour police, and fire brigade stations, and the police hospital at Bay Street, and one for each of the other district stations at the following annual salaries ;

For the central, harbour police fire brigade and Bay Street Hospital, one hundred and fifty pounds. Governor shall appoint Medical attendants.

For each of the other district stations a sum not exceeding twenty five pounds, to be paid from such sums as may from time to time be voted by the Legislature. Pay for attending each of other Stations.

55. The medical men so appointed shall be required to reside within the districts for which they may be appointed. Medical men to reside within districts.

56. It shall be the duty of such medical men to visit, whenever necessary the stations and hospitals under their charge, and prescribe for the men of the force and Duties of medical men.

LAWS OF BARBADOS

persons confined in the police cells who may be reported unwell, and, in the case of the medical officer of the Central Station, also for the members of the Fire Brigade, and they shall insert the names of the sick and directions as to treatment in books to be kept at each station for that purpose.

Diet sheet and rules for hospitals &c., to be drawn up. 57. A uniform diet sheet and rules for the police hospitals and for sick persons confined in the police cells, shall be established under the sanction of the Governor, and the men when in hospital shall be subject to the hospital rules and treatment.

Hospitals.

Hospital accommodation to be provided at each station. 58. At each station there shall be properly fitted up one or more rooms as a hospital for the accommodation of the sick of that station, except that at the Bay Street barracks sufficient hospital accommodation shall be provided for the sick of that station and the sick of the central and harbour police and fire brigade stations.

Stoppages of pay whilst in hospital. 59. Each member of the force whilst in hospital shall be subject to a daily stoppage of one shilling and such stoppage shall be accounted for monthly by the sergeant of the station to the Inspector General, who shall pay the same into the treasury to the credit of the general revenue.

PART III.

THE LAND POLICE.

Distribution of the Land Police.

Police to be distributed as Governor-in-Executive Committee determine. 60. The land police shall be distributed as the Governor-in-Executive Committee shall determine from time to time and the distribution may be altered if the Governor-in-Executive Committee consider it expedient to do so.

SESSION OF 1889-90.

Horses and vehicles.

61. Fifty two horses shall be provided and kept at the public expense for the use of the land police force, as follows ;

2 for the Inspector General.

1 for the Inspector.

1 for the sergeant major.

1 for the police cart.

47 for the remaining portion of the force.

Provided always that nothing herein contained shall affect the power of the Governor-in-Executive Committee to reduce the number of horses under the provisions of sub section two of section five of this Act.

62. Every horse when purchased shall not be under four or over seven years of age and not less than fourteen hands in height.

Limits of age and height of horses purchased.

63. If any horse at any time becomes unserviceable, the Inspector General shall with the approval of the Governor-in-Executive Committee, take steps to have the said horse disposed of by public auction and the amount for which the same shall be sold, shall be paid into the treasury to the credit of the general revenue.

Disposal of unserviceable horses.

64. The travelling expenses of the Inspector General and Inspector whilst visiting the rural stations on official business, shall be paid from such sums as shall be voted by the Legislature from time to time in that behalf.

Travelling expenses of Inspector General and Inspector.

65. The horses belonging to the force shall be exempt from all taxes.

Police horses exempt from taxes.

PART IV.

THE HARBOUR POLICE.

66. In addition to their ordinary duties as constables under this Act, it shall be the Special duties of the Harbour Police.

LAWS OF BARBADOS

special duty of the harbour police to prevent crime and disorder in the carenage and in Carlisle Bay, and to prevent persons from boarding any vessel without leave of the master of the vessel, and, if necessary, to remove any such person or persons from and out of the vessel, and to enforce the provisions of the law in respect to harbour and quarantine regulations, and to the utmost of their ability endeavour to detect and prevent all breaches of the revenue laws, and to carry into effect all the lawful orders of the Inspector General and Inspector in all matters relating to the port and harbour of Bridgetown, and to offences and offenders therein.

Harbour Police to report persons boarding vessels without leave or using indecent language or making disturbance.

67. It shall be the further duty of the harbour police to report to the Inspector General or Inspector any person who shall board any vessel without leave from the master of the vessel, or shall make use of obscene, indecent, profane or insulting language, or who shall make or cause to be made any disturbance in Carlisle Bay, and the Inspector General or Inspector may direct a complaint to be lodged by a constable against any such person for any such offence, and such person shall on conviction thereof before one of the police magistrates for the City of Bridgetown be punished at the discretion of the police magistrate by a fine not exceeding ten shillings, to be recovered as in the case of servants wages.

Inspector General or Inspector to visit Royal Mail Ships on arrival and when departing and to preserve order.

68. The Inspector General or Inspector are hereby required immediately after the Royal Mail Steam Packet Company's bi-monthly steamships from England arrive in Carlisle Bay and are admitted to pratique

SESSION OF 1889-90.

and at least one hour before the same Company's bi-monthly steamships leave for England, to visit and board such steamships and remain on board or alongside for so long a time as their presence is necessary or proper for preserving order amongst the boatmen and other persons going to and coming from such steamships.

69 The constables of the harbour police shall in addition to the qualifications required by this Act, for the enrolment of constables, be practised, experienced and skilful boatmen. Constables of Harbour Police to be skilful boatmen.

70. The Inspector, and sergeant major, of the harbour police, are each of them hereby required to visit the several guards in the Bay, and the harbour police station twice at least in each week, during the night; such visits shall be noted in the station guard book. Inspector and Sergeant major to visit guards at night and visits to be noted.

71. The Governor-in-Executive Committee shall provide and keep for the purposes of this Act three four-oared boats, and one two-oared boat fit and proper for the service, fully furnished with oars and all necessary furniture to be approved of by the Inspector General, or such other appliances as may from time to time be thought necessary. The Governor-in-Executive Committee is hereby authorised to hire and employ from time to time as occasion may require any boat or boats additional to those herein mentioned for the harbour police service. Governor in Executive Committee to supply boats.

72. Two of the four-oared boats shall be manned by not less than five men of the force and shall alternately be on duty in rowing guard in Carlisle Bay during the day, and two shall be on guard during the Additional boats may be hired. Two boats to be alternately on guard in Carlisle Bay.

LAWS OF BARBADOS

night, and the small boat shall be manned by two men, and be on guard in the careenage during the day and night, and the boats shall perform such other duties as the Inspector General or Inspector shall direct but under no circumstances shall the boats of the force be used or employed except upon the public service.

Boats to be used only for the public service.

PART V.

EXECUTION OF WRITS, &c.

Inspector General 73. It shall be the duty of such members to appoint not more than 40 policemen to execute writs &c. of the police force, not exceeding forty in number as the Inspector General of Police may appoint, to execute all writs, warrants, orders or commands of the Chief Justice, the Judges of the Assistant Court of Appeal, the Judges of the Petty Debt Courts, or any magistrate and to attend upon the police magistrates and Judges of the petty debt courts in the City and districts, and to execute writs issuing from the office of the Treasurer of the Island for the collection of taxes, and to perform duties of a similar character.

Writs &c., issued in one Magisterial district and executed in another may be returned before the Magistrate of the district in which executed. 74. When any writ, warrant, order, command, or other process under the hand of any Police Magistrate, Judge of the Petty Debt Court, or Judge of the Court of Appeal, shall be executed by any writ officer in any district or parish other than that in which the said writ, warrant, order, command, or other process shall have issued, the said writ officer may, and it shall be lawful for him to make a return to the Police Magistrate, or Judge of the Petty Debt Court, of the district in which

SESSION OF 1889-90.

it was executed and swear to the due execution of the same; and the said Police Magistrate or Judge of the Petty Debt Court shall duly sign the same as such Police Magistrate or Judge of the Petty Debt Court. And the Clerk of the said Police Magistrate or Judge of the Petty Debt Court shall forthwith forward the same to the Police Magistrate or any Court from which such writ, warrant, order, command, or other process had issued, who or which Court shall take notice of the same, and the said writ, warrant, order, command, or other process shall for all purposes whatsoever be considered and recognized as duly served.

PART VI.

THE REWARD FUND

75. All fines imposed on members of the police force shall be paid over to the Treasurer, and carried by him to the credit of the reward fund. The Treasurer shall also deduct monthly the following sums from the pay of every constable and carry the same to the credit of the reward fund, namely;

Fines and deductions payable to reward fund.

From each	sergeant major's pay	5s. 6d.
„	sergeant's	„ 4s 2d.
„	corporal's	„ 3s.
„	1st class constable's	„ 2s. 8d
„	2nd „	„ 2s. 5d.
„	3rd „	„ 2s. 2d.
„	harbour police	
„	corporal's	„ 3s. 8d.
„	harbour police	
„	constable's	„ 2s. 7d.

76. In appropriating and dealing with the reward fund, the constables who became joined before 1st

LAWS OF BARBADOS

Feb. 1873, to have claims on the fund in accordance with "the old system"

Those who joined later in accordance with "the new system"

Members under the "old system" may elect to come under "the new system"

Appropriation of reward fund under "the old system"

members of the police force or have served therein, previously to the first day of February one thousand eight hundred and seventy three, or the widows and families of such persons after their death shall be interested in the fund under the conditions for distributing and applying the same hereinafter referred to as "the old system;" and the members of the force, except the Inspector General and Inspector, who have become members thereof or have served therein on or after the first day of February one thousand eight hundred and seventy three or may hereafter become members of the force or serve therein, or their widows and families after their death, shall be interested in the fund under the conditions for distributing and applying the same, hereinafter referred to as "the new system." Provided always that any member of the force interested in the reward fund under the old system may at any time before retiring from the force, with the approval of the Governor-in-Executive Committee elect to have his interest in the fund placed upon the new system. Any member of the force who may elect to be placed on the new system, and his widow and family, if any after his death shall be held, by virtue of such election, to have forfeited all claims on the reward fund which he or they may or might have possessed under the old system.

77. The reward fund under the old system shall be appropriated for payment of such rewards, bounties, pensions or other allowances, as the Governor-in-Executive Committee from time to time award to the members of the police force interested in the fund

SESSION OF 1889-90.

under that system, or to the widows and families of any such person after death. The following rules shall be observed in granting any such pensions, that is to say, when the person applying for the same shall be under sixty years of age, it shall not be granted unless he is incapable from infirmity of mind or body to discharge the duties of his office, which incapacity must be certified by a medical board appointed as hereinafter mentioned; in which case, if he shall have served with diligence and fidelity for ten years, it shall be lawful to grant him an annual sum, not exceeding one third of his pay; if above ten years, and less than fifteen, a sum not exceeding half of his pay if above twenty years a sum not exceeding two thirds of his pay; and where the person applying shall be above sixty years of age and he shall have served fifteen years or upwards, it shall be lawful, although there shall be no certificate of incapacity from infirmity, or injury of body or mind, to grant him by way of superannuation, an annual sum not exceeding two thirds of the pay of his office; if sixty five years of age or upwards, and he shall have served thirty years or upwards, a sum not exceeding three fourths of the pay of his office; if sixty five years of age and upwards, and he shall have served forty years, a sum not exceeding the whole of his pay.

Rules for granting pensions.

78. If any member of the Police Force shall leave or be dismissed from the Force, he shall forfeit all claims to the Reward Fund, unless under very special circumstances the Governor-in-Executive Committee shall be pleased to make an exception in favour of such member, to the extent of returning to

Effect of leaving the Force on claims on the reward fund.

LAWS OF BARBADOS

him the whole or any part of his contributions to the Reward Fund.

Rules for appropriating and dealing with the reward fund under "the new system." 79. The following rules shall be observed for appropriating and dealing with the reward fund under the new system, that is to say ;

- (1) The deductions from the pay of such members of the force as come under the new system, shall be paid by the Treasurer to the Inspector General and by him into the savings bank to separate special accounts, (to be numbered consecutively from one upwards), in the joint names of the Inspector General and Inspector.
- (2.) The Inspector General shall keep a book in his office, showing the amounts of the deposits on each account together with the names of the men from whose pay the money so deposited has been deducted and the amounts received for interest on each account ; and such book and the savings bank pass-books to which it refers, shall be open at all times to inspection and audit by the Auditor General.
- (3.) Subject to the provisions of subsection six of this section, when a member of the force shall retire from the service with a good conduct certificate, or shall die in the service entitled to such certificate the money deducted from his pay and deposited as aforesaid in the savings bank with the accumula-

SESSION OF 1889-90.

tions of interest thereon at compound interest, shall upon the order of the Governor in Executive Committee be paid to him or to his order or to his widow and children, or children (as the case may be) : provided always that on the death of such member of the force as aforesaid it shall be lawful for the Governor-in-Executive Committee, on application being made for such purpose, and on being satisfied with the expediency of dispensing with probate or letters of administration to authorise by warrant under his hand the Inspector General and Inspector to pay to such person as shall appear best entitled to receive the same, the amounts as aforesaid with all accumulations thereon ; provided the same do not exceed fifty pounds.

- (4.) In the case of men quitting the service without good conduct certificates, or dying in the service not entitled to such, the pay deducted from them shall with the compound interest thereon be transferred to a separate account in the said savings bank in the joint names of the Inspector General and Inspector (to be called "the reserve fund") to be accumulated at compound interest, and all fines imposed on members of the force shall be placed to the same account, and from these sums and the interest thereon, special rewards may be awarded by the

LAWS OF BARBADOS

Governor-in-Executive Committee to the members of the force, except the Inspector General and Inspector, for meritorious services. The Inspector General shall keep an account of the receipts and disbursements of the Reserve fund, and such account shall be subject to audit by the Auditor General.

- (5.) No member of the Force shall be granted a pension, gross sum or refund of his contributions on quitting the force, unless he shall produce a certificate from the medical board hereinafter mentioned stating that he is incapacitated either in mind or body from performing the duties of his office, and that such incapacity has not been caused by his own intemperance or other misconduct.
- (6.) Subject to the provisions of subsection five of this section, members retiring after more than ten years meritorious service with special certificates of good conduct, efficient service, and ability, and also members who although not having served ten years, shall show to any medical board appointed under the provisions of this Act, that they have contracted disease or received the injury in consequence of which they are discharged in the performance of their duty, and shall likewise receive certificates of good conduct and efficient service, may on the

SESSION OF 1889-90.

authority of the Governor-in-Executive Committee in addition to being refunded their contribution to the Reward fund, be awarded from the Public Treasury a pension during their respective lives at a rate not exceeding one sixtieth of their pay for each year's service, or a gross sum at a rate not exceeding a months' pay for each year of service.

80. If any member of the force who comes under the old system be brought under the new system, the Inspector General shall thereupon deposit in the savings bank of this Island to a separate special account in the joint names of the Inspector General and Inspector the deductions from the pay of such member of the force made prior to his being brought under the new system, and shall pay to the said separate special account all future deductions made from the pay of such member of the force on account of the reward fund, and shall make entries of all such deposits, and of the name of such member of the force in the book hereinbefore mentioned.

Course to be pursued when person under "the old system" is brought under "the new system."

81. The Governor shall appoint a board of three duly qualified medical men to examine all members of the police force who are entitled to any pension or gratuity or refund under this Act, and who are recommended for discharge on account of disease or disability.

Governor to appoint a Medical Board to examine applicants for pensions &c.

82. When the disease or disability of an applicant is not a permanent one, and the medical board are of opinion that his health may be restored by a lengthened period of

Medical Board may recommend leave of absence.

LAWS OF BARBADOS

rest, they may recommend such applicant for leave of absence on half pay, for any period not exceeding six months, and the Inspector General is hereby authorised to enrol in the usual manner some person to serve in his place during such leave of absence.

Fees to members
of Medical Board.

83. Each member of the medical board shall be paid out of the treasury on the warrant of the Governor-in-Executive Committee the sum of ten shillings and sixpence for each member of the force whom he may examine.

Constable not entitled to pension, may be discharged on certificate of medical officer of his station.

84. Any constable who is not entitled to a pension, gratuity or refund, may be discharged on the certificate or recommendation of the medical officer of the station where such constable is on duty ; provided always that if such constable is dissatisfied with the opinion of such medical officer he may apply through the Inspector General to the medical board for examination and he shall be examined as in other cases, but should the medical board concur in the opinion of the medical officer of the station the expenses of such examination shall be deducted from the pay of the constable so examined. In like manner and with the

Discharge of constables who consider themselves entitled to discharge on account of disease &c.

same conditions, any constable who considers himself entitled to his discharge on account of disease or disability, may apply for examination and be examined as before provided : provided that such constable must first have been examined by the medical officer of the station where he is on duty, and have been refused a recommendation for discharge on examination by such medical officer.

SESSION OF 1889-90.

PART VII.

MISCELLANEOUS PROVISIONS.

General duties.

85. All members of the police force are hereby authorised and required to apprehend all loose, idle, or disorderly persons whom they shall find disturbing the public peace, or whom they shall see cause to suspect of any evil design, or shall find lying about in any street or highway or other place, or loitering therein and not giving a satisfactory account of themselves, and bring or cause such persons to be brought before a police magistrate at his office to be dealt with according to law; and in case such office shall not be open, then to commit every such person to safe custody for the time. All members of the force are hereby also authorised and required to prevent all offences, evils and inconveniences whatsoever in the City or any of the towns and throughout the Island, and in the Bay and carenage, and to disperse all mobs, to prevent all swearing, quarrelling, or improper behaviour, to enforce due observance of the Sabbath day, to impound all dogs, hogs, horses, goats or other animals going at large, to apprehend all persons whom they may find plundering any growing crops, and all persons having in their possession stolen goods, knowing the same to be stolen, and strictly to prevent all firing of guns and pistols or other firearins, or of squibs, rockets, or other fireworks, or the flying of kites in the City or any of the towns or public roads of the Island; also every kind and description of furious, careless, or negligent

General duties of
all members of the
force.

LAWS OF BARBADOS.

riding or driving of horses or other cattle and to prevent, if possible, any misconduct on the part of drivers of waggons, carts or cranks, and to note the names of the proprietors of such vehicles, and the time and place where any such misconduct may occur, in order that the same may be reported to the sergeant of the district, who shall give the necessary information to the aggrieved party, or prefer a complaint before a police magistrate and generally to look after whatsoever may concern the good order and peace of the Island.

Proceedings where there is not a warrant.

Person arrested without warrant to be confined till taken before Magistrate or bail taken for appearance.

86. Where any person charged with a misdemeanour or petty felony shall be brought without the warrant of a police magistrate or justice of the peace into the custody of the Inspector General, Inspector, or any sergeant major or sergeant, it shall be lawful for the person into whose custody such person is brought, if he shall deem it prudent, (provided the police magistrate before whom the party charged with such misdemeanour or petty felony is to be taken for examination on such charge, be not then in attendance at his office,) to confine such person in the guard room or other place of safe custody till the police magistrate can be made acquainted with the charge against such person ; or to take bail by recognizance without fee or reward from such person conditioned to appear for examination before a police magistrate at some place to be specified in the recognizance, and at such earliest time then next after, when such police magistrate shall be in attendance at his office. Every recognizance so taken shall be

SESSION OF 1889-90.

of equal obligation on the parties entering into the same and be liable to the same proceedings, or estreating thereof as if the same had been taken before a police magistrate. The name, residence, and occupation of the person and his surety or sureties, if any, entering into such recognizance, together with the condition thereof, and the sums respectively acknowledged, shall be entered into a book to be kept for that purpose which book shall be laid before such police magistrate as shall be present at the time and place required, or within one hour after.

taken to have same effect as if taken by Magistrate.

Names &c. of person and his sureties to be entered in a book.

87. In case the person shall not appear, the police magistrate shall cause a record of the recognizance to be drawn up and shall return the same to the next court of Grand Sessions for this Island in which the offence charged shall be brought for trial with a certificate at the back thereof, signed by such police magistrate that the person or person had not complied with the obligation therein contained ; and the clerk of the peace shall make the like estreats and schedules of every such recognizance, as of recognizances forfeited in the sessions of the peace.

Person not appearing, record of recognizance to be sent to next Court of Grand Sessions.

88. If the person not appearing shall apply by any person on his behalf to postpone the hearing of the charge against him, the police magistrate may, if he shall think fit, enlarge the recognizance to a further time ; and when the matter shall be heard and determined, either by the dismissal of the complaint or by binding the person over to answer the matter thereof at the sessions or otherwise, the recognizances for the appearance of the person before a police

Enlarging of recognisance.

LAWS OF BARBADOS

magistrate shall be discharged without fee or reward.

Cases of riot, &c.

Powers of Magistrates and duties of police in case of riots &c.,

Governor may cause special constables to be sworn in.

89. In all cases of riot, combined insubordination, or other dangers of the public peace, the magistrates of the City and of the several districts are hereby authorised to apply to the Inspector General, and in his absence to the Inspector or the sergeant major or sergeant of the City, or district, as the case may be, to order on duty such number of the police force as shall be sufficient to restore order and decorum, and if the force of the district shall not be sufficient, then the magistrate shall call on any of the neighbouring districts for such additional force as shall be necessary, and such force shall act under the orders of the magistrate in quelling such riot or other disturbance of the public peace; and on such occasions, as also in all emergencies and dangers to the public peace, it shall be lawful for the Governor to cause any number of persons to be sworn in as special constables by any police magistrate or justice of the peace in aid of the police force. And the Governor may issue such orders as he shall think necessary to the police magistrates of the City and of the several districts in such manner as he shall think proper for preserving the peace of the Island.

Indorsement of warrants.

Writs &c, may be executed by any policeman whose name is endorsed

90. When any writ, warrant, order, or command of any magistrate shall be delivered or given to any police officer, or sergeant of police, he shall, if the time will

SESSION OF 1889-90.

permit, show or deliver the same to the thereon by his superior officer. officer under whose immediate command he shall then be, and such officer shall nominate and appoint, by endorsement thereon such one, or more of the constables under his orders, and such assistant or assistants to him or them as such officer shall think proper, to execute such writ, warrant, order, or command; and every such police officer or other officer whose name shall be so endorsed, and every such assistant as aforesaid, shall have all and every the same rights, powers and authorities for and in the execution of every such writ, order, or command, as if the same had been originally directed to him expressly by name.

Registration of criminals.

91. For the better supervision of criminals a register of all persons convicted of crime in this Island shall be kept under the management of the Inspector General or of such other person as the Governor may from time to time appoint, in such form, with such evidence of identity, and containing such particulars and subject to such regulations as may from time to time be prescribed by the Governor. **Inspector General to keep a register of convicted criminals.**

92. In order to make such register complete, and to make the supervision over criminals effectual, the sergeant major in the City and the sergeants in every district shall from time to time make returns to the Inspector General in such manner, and at such time, and containing such evidence of identity and other information with respect to persons convicted of crime as the Inspector General may from time to time direct. **Returns to be made to him for this purpose.**

LAWS OF BARBADOS

Protection of police in execution of duties.

Pleading and evidence in actions against policemen for acts done in obedience to writs &c.,

Writ if duly signed a sufficient defence.

Actions &c. to be commenced within six months.

A written notice to be previously given.

No plaintiff to recover if ten-

93. When any action shall be brought against any constable or assistant, for any act done in obedience to the writ or warrant of any magistrate, such constable or assistant shall not be responsible for any irregularity in the issuing of such warrant or writ, or for any want of jurisdiction in the magistrate issuing the same, and such constable or assistant may plead the general issue, and give such writ or warrant in evidence; and upon producing such writ or warrant, and proving that the signature thereto is the handwriting of the person whose name shall appear subscribed thereto and that such person is reputed to be, and acts as a magistrate for the City or such parish or district, as the case may be, and that the act complained of was done in obedience to such writ or warrant, the jury or court who shall try the issue shall find a verdict for such constable or assistant, who shall recover his costs of suit.

94. For the protection of persons acting in the execution of this Act, all actions and prosecutions to be commenced against any person for anything done in pursuance thereof shall be commenced within six months after the act committed, and not otherwise. Notice in writing of such action, and of the cause thereof, shall be given to the defendant one month at the least before the commencement of the action, and in any such action the defendant may plead the general issue, and give this Act and the special matter in evidence at any trial to be had thereupon.

95. No plaintiff shall recover in any such action if tender of sufficient amends shall

SESSION OF 1889-90.

have been made before such action shall have been brought, or if a sufficient sum of money shall have been paid into court after such action shall have been brought by or on behalf of the defendant; and if a verdict shall pass for the defendant, or the plaintiff shall become nonsuit, or discontinue his action after issue joined, or if upon demurrer or otherwise, judgment shall be given against the plaintiff, the defendant shall recover his full costs of suit and have the like remedy for the same as any defendant hath by law in other cases; and though a verdict shall be given for the plaintiff in any such action, such plaintiff shall not have costs against the defendant unless the judge before whom the trial shall be, shall, certify his approbation of the action and of the verdict obtained thereon.

96. Every constable is hereby exempted from serving in the militia of the Island, or on any juries or inquests. Exemption of policemen from militia duty &c.,

97. If any person shall assault, obstruct, or resist any member of the police force in the execution of his duty, or shall aid or excite any person so to assault, obstruct, or resist, the offender shall for every such offence, on conviction thereof before a police magistrate be liable to a penalty not exceeding six pounds, and the magistrate may, if he shall think proper, instead of imposing a fine upon the offender, commit him to prison for a period not exceeding two months with or without hard labour; provided that nothing herein contained shall exempt any such offender from his liability to be sued or prosecuted under the general Assaulting a policeman in the execution of his duty.

LAWS OF BARBADOS

law, but he shall not be punished both under this Act and the general law.

Common reputation.

Common reputation sufficient evidence of a policeman's right to act as such.

98. If any question shall arise as to the right of the Inspector General, Inspector, sergeant majors, sergeants, corporals, or other members of the force or any of them to hold or execute their offices respectively, common reputation shall to all intents and purposes be deemed and held to be sufficient evidence of such right, and it shall not be necessary to produce any appointment or any oath, affidavit or other document, or matter whatsoever in proof of such right.

Limitation of time for prosecution of offences.

Prosecutions under this Act to begin within three months.

99. The prosecution for any offence punishable upon summary conviction under this Act shall be commenced within three months after the commission of the offence, and not otherwise.

Bounties and special rewards.

Chief Justice may grant small bounties to any member of the force.

100. The Chief Justice shall have authority to grant small bounties, not exceeding five pounds, to any member of the police force, except the Inspector General and Inspector, who shall have distinguished himself in detecting and bringing to justice the perpetrator or abettor of any crime; and the same is to be paid from the public treasury on the warrant of the Governor-in-Executive Committee.

Disposal of penalties &c., awarded to members of the force

101. One moiety of the net proceeds of all penalties, seizures, forfeitures and damages and proportions of penalties, seizures, forfeitures and damages awarded to any member of the police force under this or

SESSION OF 1889-90.

any other present or future Act of this Island, on any summary conviction, as the prosecutor of any information or otherwise shall be paid to the member of the force making the seizure or bringing the offender to justice, and the remaining moiety thereof and all hospital stoppages shall be paid to the credit of the general revenue.

102. A reward of additional pay, and of one or more good conduct badges, may be granted by the Governor on the recommendation of the Inspector General to any constable according to such rules and regulations and conditions as may be framed by the Inspector General, with the approval of the Governor. Provided always that the sums payable in any one year under this section shall not exceed four hundred pounds.

Governor may grant rewards of additional pay &c.

Proviso

Funeral expenses.

103. The funeral expenses of all members of the police force, except the Inspector General and Inspector, dying whilst in the force, shall be defrayed from the public treasury.

Funeral expenses to be paid from Public Treasury.

Crying down the credit of the police.

104. It shall not be lawful for the Inspector General or the Treasurer of the Island to deduct from the salary payable to any constable any amount on account of any order, charge or incumbrance, which may have been given, made or created by such constable on his salary or allowance except for reasonable and *bona fide* charges for not more than three months arrears of house or land rent due by any member of the force, nor shall any salary or allowance,

No deductions from pay of any policeman for debts to be made save as herein provided.

LAWS OF BARBADOS

No constable liable to be imprisoned for debt. of a constable be liable to be attached, seized or taken in execution by any process of law or otherwise howsoever; nor shall any constable be liable to be imprisoned under any order of any court by reason of the non-payment of any debt or demand which he may have incurred, or for which he may have become liable; nor shall any such salary or allowance, or any part thereof, be paid to any person except the constable to whom it shall be due, except in case of the illness, absence or other incapacity of any such constable, when it shall be lawful for the Inspector or Treasurer to pay the salary due to such constable to any agent duly authorised by him in writing to receive the same.

Constables' pay save as herein mentioned to be paid to themselves only.

Proviso.

The provisions of this section, other than those referring to the stoppage of salary, shall not be construed to apply to any debt contracted by any such constable before the coming into operation of this Act, nor shall they apply to the Inspector General or Inspector. Nor shall the provisions relating to the stoppage of salary be construed to apply to any penalties or stoppages incurred by any constable under this Act, or under any regulations made under this Act.

Freedom from arrest.

105. Every member of the police force shall be free from arrest when on duty.

Public property.

Articles supplied police by Government not to be taken for debt.

106. No article supplied to the police at the public expense shall on any pretence whatsoever be taken for the debt of any member of the police force.

Improper possession of police arms, &c.

Penalty for im-

107. If any person not belonging to the

SESSION OF 1889-90.

• police force, shall have in his possession proper possession or any arms or ammunition, or any article of purchase of police clothing, accoutrement, or appointments arms and clothing supplied to any member of the force, and or personating policemen. shall not be able satisfactorily to account for the possession thereof or shall put on or assume the dress, name, designation or description of any person, or any class of persons belonging to the force, for the purpose of thereby obtaining admission into any house or other place, or of doing or procuring to be done, any other act, which such persons so putting on or assuming such dress, name, designation or description, would not by law be entitled to do or procure to be done of his own authority ; or if any person shall knowingly purchase or obtain, or shall solicit or entice any member of the force to sell or dispose of any of his arms, ammunition, clothes, or any articles of public property, or any article of forage provided for the horses of the force, or any article provided for the boats of the service, every person so offending shall on conviction thereof before a police magistrate, in addition to any other punishment the law may direct, be liable for every such offence to a penalty not exceeding ten pounds; and not less than three pounds, and in default of payment to be imprisoned for any period not exceeding two months and kept to hard labour.

108. If any person shall prove on oath to the satisfaction of a police magistrate that there is reasonable cause to suspect that any person has on his premises any property of the description hereinbefore stated the police magistrate may grant a warrant to search for such property as in the case of stolen goods.

Search warrant
for police arms or
clothing.

LAWS OF BARBADOS.

Harbouring Police, &c.

Penalty on harbouring police officer or supplying him with intoxicating liquor when on duty.

109. If any person shall knowingly harbour, entertain, or either directly or indirectly sell or give any intoxicating liquor to any constable, except the Inspector General or Inspector, or permit such constable, (except as aforesaid), to abide or remain in his house, (except in cases of extreme emergency), when on duty, he shall on conviction thereof before a police magistrate, be liable to a penalty of three pounds for such offence, and in default of payment thereof to be imprisoned for any term not exceeding two months with or without hard labour.

Perjury.

Members of the force giving false evidence on enquiry before Inspector General, guilty of perjury.

110. If any member of the police force or any other person shall, on enquiry on oath before the Inspector General into the truth of any charges or complaints preferred against any member of the force of any neglect or violation of duty of his office, or on any other occasion on which an oath may be administered under this Act give false evidence or take a false oath, and be thereof duly convicted, such member of the force or other person shall be deemed guilty of wilful and corrupt perjury, and shall be liable to such fines and penalties as persons convicted of wilful and corrupt perjury are or may be subject and liable to.

Payment of salaries.

Salaries to be paid monthly.

111. All salaries payable under this Act shall be paid monthly by warrant of the Governor-in-Executive Committee from the public Treasury in the usual manner.

Any person now

112. Notwithstanding any of the provisi-

SESSION OF 1889-90.

ons of this Act, the Inspector General of a writ officer may
Police may enrol as a Police Constable any be enrolled as a
member of the existing corps of writ officers. constable.

Repeal.

113. The Acts mentioned in Schedule B Repeal and Sav-
to this Act annexed, are hereby repealed, ings.
provided that such repeal shall not affect :

- (1.) The past operation of the enactments hereby repealed nor anything done or suffered under the enactments hereby repealed, nor ;
- (2.) any right, privilege, obligation or liability acquired, accrued, or incurred under the enactments hereby repealed, nor ;
- (3.) any penalty, forfeiture, or punishment incurred in respect of any offence committed against the enactments hereby repealed, nor :
- (4.) any investigation, legal proceeding or remedy in respect of such right, privilege, obligation, liability, penalty, forfeiture, or punishment as aforesaid and any such investigation, legal proceeding and remedy may be carried on as if this Act had not passed, nor ;
- (5.) any act in which the enactments hereby repealed have been applied, incorporated or referred to, or any rules made under such acts.

114. This Act shall not come into operation unless and until the officer administering the Government notifies by proclamation that it is Her Majesty's pleasure not to disallow the same, and thereafter it shall

Suspending section.

LAWS OF BARBADOS

come into operation upon such day as the officer administering the Government shall notify by the same or any other proclamation.

Duration of Act. 115. This Act shall continue in force until (and inclusive of) the thirty first day of December, one thousand eight hundred and ninety.

SCHEDULE A.

Duties of the Inspector General of Police.

- (1.) He shall when required so to do by the Governor, frame and submit to him for his approval rules and regulations for the good ordering and government of the police force and generally in connection with the administration of the said force.
- (2.) He shall in the month of January in each year and oftener if required by the Governor, make a written report to the Governor, for the information of the Legislature, respecting the discipline, condition, and distribution of the police force, and in such report he shall also set forth the state of crime in the island, and all other matters relating to the police which may be of public moment.
- (3.) He shall at the end of every three months, lay before the Governor for the information of the Legislature a statement of all sums of money paid over by him to the Treasurer of the Island to the credit of the general revenue.

LAWS OF BARBADOS

- 4.) He shall submit to the Governor for his approval the names of persons fit to be promoted to vacancies in the higher ranks and grades of the force.
 - (5.) He shall frequently visit the police stations in the several districts and make a careful examination into the condition of the men and horses stationed there, and he shall visit each guard in the City of Bridgetown twice at least in each month during the night, and such visits shall be noted in the guard book.
 - (6.) Once in each month he shall make a report to the Governor of the number of cases in which punishments have been inflicted on members of the force during the preceding month, together with the punishment imposed in each case
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SESSION OF 1889-90.

SCHEDULE B.

Date of Act.	Title of Act.	Extent of Repeal.
24th March 1874.....	An Act to consolidate and amend the Acts relating to the fire brigade in the City of Bridge Town and its vicinity.....	Section two, and the words Superintendent in section four.
15th August 1882.....	An Act entitled, An Act to consolidate and amend the law relating to the Police and Harbour Police, and to provide for the establishment of a Corps of Writ Officers.....	The whole Act.
10th July 1884.....	An Act to amend "The Police Act 1882".....	The whole Act.
25th September 1885.....	An Act to amend "The Police Act 1882" and "The Police Act 1882, Amendment Act 1884".....	The whole Act.
31st January 1887.....	An Act to amend "The Police Act 1882".....	The whole Act

SESSION OF 1889-'90.

SCHEDULE B. *continued.*

Date of Act.	Title of Act.	Extent of Repeal.
30th July 1887.....	An Act to reduce the expenditure in certain departments of the Civil Service of this Island,.....	Sections 7, 8, 9, 10 ; That portion of schedule A, Part I relating to "The Inspector of Police; That portion of schedule A, Part II relating to "The Inspector General of Police; and Part III of Schedule A.
18th August 1887.....	An Act to make good a sum of money stolen from the Central Police Station	The whole Act.
25th April 1888.....	An Act to amend "The Police Act 1882"	The whole Act.
31st December 1889.....	An Act to continue various expiring Laws.....	So far as it relates to "The Police Act, 1882" and the Acts mentioned in the second column to the Schedule except the Act of the 29th May 1883.

LAWS OF BARBADOS

CAP. XXXV.

(Assented to 14th June 1890)

BARBADOS.

An Act to amend the Act of the 24th day of March, 1874, entitled, "An Act to consolidate and amend the Acts relating to the Fire Brigade in the City of Bridgetown and its vicinity."

BE it enacted by the Governor, Council, and Assembly of this Island, and by the authority of the same as follows;

Short titles.

1. This Act may be cited as "The Fire Brigade Amendment Act, 1890," and the Act of the 24th March 1874, entitled, An Act to consolidate and amend the Acts relating to the Fire Brigade in the City of Bridgetown and its vicinity, (hereinafter referred to as "the principal Act,") may be cited as "The Fire Brigade Act, 1874."

Amends section 1 of principal Act.

2. In section one of the principal Act, the words "an Assistant Superintendent shall" be inserted after the word Superintendent.

Office of Assistant Superintendent created.

3. The following sub-section shall be added to section three of the principal Act, namely:

(1.) The Assistant Superintendent shall assist the Superintendent in the discharge of his duties, and in the absence of the Superintendent shall discharge his duties.

Salary of Assistant Superintendent.

4. In section five of the principal Act the words, "Assistant Superintendent fifty pounds" shall be inserted after the words, "Superintendent one hundred pounds" in line three.

Assistant Superintendent substituted for foreman in

5. In section ten of the principal Act the words "Assistant Superintendent" shall be

SESSION OF 1889-90.

substituted for the words "the foreman" in absence of Superintendent.
line three.

6. In section eleven of the principal Act, Amends section 11.
after the words "the Superintendent" the
words "and assistant Superintendent" shall
be inserted.

7. In section sixteen of the principal Act, Amends section 16.
the words "or to the Police Hospital" shall
be inserted after the words "General Hos-
pital."

8. In section nineteen of the principal Act the words "by blowing their whistles" Amends section 19.
shall be substituted for the words "by spring-
ing their rattles."

9. In section twenty one of the principal Act the words "reasonable distance" shall Amends section 21.
be substituted for the words "one hundred
yards" in line two.

10. In section twenty seven of the principal Act the words "the Governor-in-Executive Committee" shall be substituted for the Amends section 27.
words "the Consolidated Board."

11. This Act shall not come into opera- Suspending section.
tion unless and until the Officer administer-
ing the Government notifies by proclamation
that it is Her Majesty's pleasure not to
disallow the same, and thereafter it shall
come into operation upon such day as the
Officer Administering the Government shall
notify by the same or any other proclama-
tion.

LAWS OF BARBADOS

CAP. XXXIV.

(Assented to 14th June 1890.)

BARBADOS.

An Act to amend "The Saint Michael's Parish Rating and Loan Act, 1890."

WHEREAS it is expedient to amend "The Saint Michael's Parish Rating and Loan Act, 1890." (hereinafter called "the principal Act,") in the manner hereinafter mentioned; Be it therefore enacted by the Governor, Council, and Assembly of this Island, and by the authority of the same, as follows;

Repeal.

1. Sections three and four of the principal Act are hereby repealed.

Vestry of St. Michael's parish authorised to borrow not more than £3,000.

2. (1) For the purpose of carrying on the affairs of the parish until rates for the current parochial year shall be collected, it shall be lawful for the vestry of the parish of Saint Michael, and they are hereby authorised from time to time as they may require the same, to borrow from any person or persons, bodies politic or corporate willing to lend them the same upon such terms and in such manner as they shall deem fit, a sum or sums of money not exceeding three thousand pounds.

Loan to bear interest at not more than 6 per cent and to be repaid from the rates of the current year,

(2) The money so borrowed, with interest thereon at a rate not exceeding six pounds per centum per annum, shall be repaid by the Parochial Treasurer of the parish at the Parochial Treasurer's office from the rates of the said parish, to be laid and collected for the current parochial year on or before the twenty fifth day of March one thousand eight hundred and ninety one, as may be agreed upon, and shall be a charge

SESSION OF 1889-'90.

on the rates of the said parish, until paid, and shall rank next after the money borrowed under The Saint Michael's Central Almshouse Act, 1880; The Saint Michael's Central Almshouse Act, 1880, Amendment Act, 1884; The Saint Michael's parish (Barbados) Loan Act, 1886, and The Saint Michael's parish (Barbados) Loan Act, 1889, respectively.

(3) When any sum or sums shall be borrowed as aforesaid, the Chairman, Churchwarden, and senior member of the said vestry in vestry assembled, shall give to the persons from whom any sum or sums may be borrowed, a certificate or certificates showing the amount borrowed in the words or to the effect in schedule A to the principal Act.

Certificate to be given for sums borrowed according to the form of the schedule.

3. This Act and the principal Act shall be taken and read together as one Act.

Construction.

CAP. XXXVII.

(Assented to 5th July, 1890.)

BARBADOS.

An Act to grant an additional sum of money out of the public treasury and to appropriate the same for the service of the year ended the thirty first day of December one thousand eight hundred and eighty nine.

WHEREAS the sum of money granted out of the public treasury by "The Appropriation Act, 1889," for the service of the year mentioned, has proved insufficient to meet the demands of such service; And Whereas certain resolutions were passed

LAWS OF BARBADOS

during the year one thousand eight hundred and eighty nine, granting additional sums out of the public treasury, and it is deemed expedient to appropriate the same in the manner hereinafter mentioned; Be it therefore enacted by the Governor, Council and Assembly of this Island, and by the authority of the same, as follows;

Short title.

1. This Act may be cited for all purposes as the "The Supplementary Appropriation Act, 1889."

Treasurer on warrant of Governor in Executive Committee to issue and apply moneys granted by way of supplementary estimate for year 1889.

2. The Colonial Treasurer may issue out of the public treasury on the warrant of the Governor-in-Executive Committee, and apply for making good the supply granted for the service of the year ending on the thirty first day of December one thousand eight hundred and eighty nine, the sum of three thousand eight hundred and forty nine pounds fourteen shillings.

Sum to be deemed as granted on 1st January 1889.

3. The sum granted by this Act shall be deemed to have been granted on the first day of January one thousand eight hundred and eighty nine, in addition to the sum granted by The Appropriation Act, 1889.

Sum to be deemed as appropriated from 1st January 1889 for services in schedule annexed.

4. The sum granted by this Act out of the public treasury for making good the supply granted for the purpose aforesaid is appropriated, and shall be deemed to have been appropriated, as from the first day of January one thousand eight hundred and eighty nine, for the purposes and services expressed in the schedule annexed hereto.

Schedule to be part of Act.

5. The schedule annexed hereto shall be deemed to be part of this Act, in the same manner as if it had been contained in the body of the Act.

SESSION OF 1889-90.

SCHEDULE.

The Supplementary Appropriation Act 1889.

Fixed Establishments.

HEAD 1.

	£	s.	d.
Inland Revenue Officer			
Dist "D".....	3	6	8

HEAD 10.

Veterinary Surgeon for inspecting live stock	20	16	8
Exclusive of Establishments.			

HEAD 1.

Powder Hulk	500	0	0
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HEAD 4.

Police	372	16	8
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HEAD 10.

Board of Health	200	0	0
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HEAD 11.

Pension	5	0	0
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HEAD 14

Repairs to Dist "A"	92	0	0
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Repairs to Wharf Walls near Vic- toria Bridge	432	1	1
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Harbour Police Boathouse and Jetty	215	0	0
--	-----	---	---

Hospital at Glen- dairy... ..	44	4	7
----------------------------------	----	---	---

Preliminary Ex- penses Harbour Improvements ..	1,000	0	0
	1,783	5	8

LAWS OF BARBADOS

MISCELLANEOUS.

Grant to Rural Road Commis- sioners St Michael	300	0	0			
Bonus to Clerk Board of Health	50	0	0			
Grant for defray- ing Secretarial expenses to Lunatic Asylum Commissioners	50	0	0			
Preliminary Ex- penses Jenkins- ville	120	0	0			
Refund of duty on iron roof for Cathedral	35	4	6			
Repatriating Bar- badian Labour- ers from Colon	250	0	0			
Fees to Queen's Solicitor for pro- fessional services	155	17	2			
Refund of the fee paid by Barba- dos Agricultu- ral Society.....	3	6	8	964	8	4
				<u>£3,849</u>	<u>14</u>	<u>0</u>

SESSION OF 1889-'90.

CAP. XXXVIII.

(Assented to 7th July 1890.)

BARBADOS.

An Act to provide a fund for rebuilding or repairing any of the public buildings which may be injured or destroyed.

WHEREAS it is expedient that provision should be made for rebuilding or repairing any public building that may be injured or destroyed; Be it therefore enacted by the Governor, Council, and Assembly of this Island, and by the authority of the same, as follows;

1. This Act may be cited as "The Public Buildings (Insurance) Act, 1890."

Short title.

2. The Governor-in-Executive Committee is hereby authorised and required, by warrant on the Colonial Treasurer, annually to draw and appropriate to the formation of a fund to be termed "The Public Buildings (Insurance) Fund" a sum equal to five shillings per one hundred pounds on the estimated values of such public buildings as the Governor-in-Executive Committee deem it advisable to insure against loss or damage.

Public Buildings (Insurance) Fund to be formed by annual drawings from the Public Treasury.

3. The sum required to be drawn and appropriated as aforesaid, and also all interest to be derived from all investments made as hereinafter mentioned, shall be invested in such manner and in such securities as the Governor-in-Executive Committee shall determine. And the Governor-in-Executive Committee shall have power, as often as to him shall seem fit, to vary the investments of the said fund, or, subject to the provisions of section four of this Act to withdraw from investment such sum

Governor in Executive Committee empowered to invest sums drawn and to vary investments &c.,

LAWS OF BARBADOS

as may from time to time be required to rebuild or repair any public building that may be injured or destroyed.

No sum to be withdrawn from investment without sanction of Legislature.

4. It shall not be lawful for the Governor-in-Executive Committee to withdraw any sum for the purpose last aforesaid until the two Houses of the Legislature shall have passed a resolution authorising such withdrawal.

Limit of Fund which is to be formed.

5. When the fund provided for by this Act shall have reached such sum as the Governor-in-Executive Committee shall deem sufficient, sections two and three shall cease to have any effect, and the interest thereafter derivable from the fund invested shall be paid into the treasury to the credit of the general revenue; provided that whenever any sum is withdrawn from the fund under the provisions of section three of this Act, sections two and three shall again be revived and come into operation until the fund again reaches the sum above mentioned in this section.

Detailed annual statement of particulars of the Fund to be furnished Legislature.

6. The Governor-in-Executive Committee shall annually furnish for the information of the Legislature a detailed statement in writing showing the position of the fund, the nature of the securities in which it is invested, and the interest derivable from the investments.

CAP. XXXIX.

(Assented to 8th July, 1890.)

BARBADOS.

An Act to consolidate the Act relating to the sale of spirituous liquors by retail.

BE it enacted by the Governor, Council and Assembly of this Island, and by the authority of the same as follows :

SESSION OF 1889-90.

Short title.

1. This Act may be cited as "The Liquor Licenses Act, 1890."

Short title.

Interpretation.

2. For the purposes of this Act the terms :—

Meaning of terms.

"Expose," "Exposure," or "Exposing for sale," shall mean having for sale or barter any spirits, malt liquors, or wines contained in bottles, demi-jeans, or other vessels whether of glass, wood, metal, or other material placed, exposed, or concealed in any shop or building fitted up and used as a shop and open to the public as customers.

"Expose &c."

"Spirits" shall mean alcohol, rum, and its compounds, brandy, gin, whiskey, and all other distilled spirits and spirituous liquors.

"Spirits"

"Occupation" shall mean possession by agent or otherwise."

"Occupation"

"Proof" shall mean the strength of proof as ascertained by Sykes' hydrometer.

"Proof"

"Rum," shall mean distilled spirits of every kind containing alcohol.

"Rum"

"Retailer" shall mean every person who shall sell or barter spirits to any person at one and the same time in any quantity less than thirty gallons, or who shall sell or barter malt liquors in reputed quart bottles in a less quantity than four dozen, or in imperial pint bottles in a less quantity than seven dozen, or who shall sell or barter wine in a less quantity than that usually contained in the package known in commerce as a

"Retailer"

LAWS OF BARBADOS

quarter cask, or in imported cases of less than one dozen quart bottles, or two dozen pint bottles.

LICENSES.

No sale without license.

Persons selling spirits &c., or exposing them for sale or having them in possession for sale without a license liable to a pecuniary penalty &c.,

3. (1) If any person shall, without a license to be obtained under the provisions of this Act, dispose of any spirits malt liquors or wines or expose the same for sale or shall have in his possession in any house or on or in any part whatever of any house or of any outbuildings of any description thereto attached or appurtenant, any spirits, malt liquors or wines with the intention to sell the same or any or either of them, or to keep or have them or any of them in stock for sale, he shall be liable to a penalty equal to double the amount of the cost of a license, and also to forfeiture of any such liquids found in any of the places hereinbefore more particularly described, by any officer to be sold for the uses of the public, and in default of payment of such penalty to imprisonment for any term not less than three months nor exceeding twelve months.

Exceptions.

Representative of a deceased or assignee of an insolvent license holder may sell stock in trade, or private stock may in certain cases be sold without license.

(2) Nothing herein contained shall prevent the executor or other personal representative of any person who may have died holding a license, or the assignee of any Insolvent who may be holding a license, from selling spirits, malt liquors or wines belonging to the estate of such deceased person or Insolvent, or the executor or other personal representative of any deceased person, from selling the private stock of such deceased

SESSION OF 1889-90.

person, or any person who may be about to leave the Island from selling his private stock of liquors at any sale on departing from this Island either by himself, or by any auctioneer employed to make such sale or the Provost Marshal, or other officer from selling any liquors under any process of law, or any Official Assignee or the legal personal representative of any deceased licensed retailer of liquors from selling the unexpired term of any license of an insolvent as part of the assets, provided always that as such last mentioned case, the party purchasing the same shall in other respects comply with the provisions of this Act.

Unexpired term of a license may be sold in certain cases.

(3) Chemists and druggists shall be allowed to sell alcohol, or spirits of wine, without a license under a prescription from a duly qualified medical man, that such alcohol, or spirits are for a medical purpose, or when sold without a medical certificate, such spirits shall have been previously rendered unfit for drinking purposes, by admixture with other drugs or chemicals.

Chemists and druggists may sell alcohol in their drugs or for a Medical purpose without license.

(4) The widow should there be no legal personal representative or the legal personal representative (if any) of any licensed retailer of liquors may continue to retail liquors under the license obtained by the deceased retailer until the expiry thereof; provided always that in any prosecution under this Act the onus shall lie on the person trading to prove that he or she is such legal personal representative or widow.

Widow may continue to retail until expiry of license.

(5.) All Military Canteens conducted in accordance with the Queen's Regulations and orders for the Army shall be exempt from the operation of the laws of this Island requiring licenses to be obtained for the sale

Military canteens not to require licenses.

LAWS OF BARBADOS

of intoxicating liquors, of the Bank Holidays Acts, and of the Acts regulating the closing of shops on week days, Sundays Christmas, Days, Good Fridays, and other days set apart by public proclamation for Divine Service.

General provisions.

(6.) Any person violating the provisions of this clause shall be deemed a retailer of liquors and shall be dealt with accordingly.

How obtained.

Intending retailers must first obtain a certificate from Police Magistrate.

4. (1) Any person desiring to become a retailer of spirits, malt liquors or wines under the provisions of this Act shall in the first instance obtain a certificate from the Police Magistrate of the Parish in which he resides, to the effect that such person is sober and discreet and fit to be trusted as a retailer of spirits, malt liquors and wines, and upon the production of such certificate to the Treasurer of the Island, he shall grant to such person the license required at the cost hereinafter mentioned; Provided always that the Magistrate shall before he shall give the certificate satisfy himself that the shop or building in which it is proposed to retail the spirits, malt liquors or wines, is not situated on any place whereon or on any part whereof, rum or any other spirituous or vinous liquors are manufactured, or is adjoining or is butting or bounding on any distillery, or on any piece or parcel of land, on which a distillery is built.

Certificate not to be given if shop not situated as herein mentioned.

Lists of persons carrying on business to be furnished by Parochial Treasurers of St. Michaels and St. Peter's parishes to the Colonial Treasurer.

(2.) The Parochial Treasurer for the parish of Saint Michael, and the Parochial Treasurer for the parish of Saint Peter, shall each sometime in the month of December forward to the Colonial Treasurer for the purposes of this Act a list alphabetically arranged, containing the names in full of

SESSION OF 1889-90.

all persons carrying on trade or business of any kind as regards the Parochial Treasurer in the city of Bridgetown and the parish of Saint Michael, and as regards the Parochial Treasurer in Speightstown, and the nature as far as known of such trade or business and where carried on with the amounts at which such persons were rated by the Vestries respectively of the parish of Saint Michael and the parish of Saint Peter for trade during the year. And if such Parochial Treasurers as aforesaid shall respectively fail to forward such list as aforesaid to the said Colonial Treasurer signed by them respectively and within the period mentioned, the said Parochial Treasurers shall respectively forfeit and pay for the use of Her Majesty and Her successors, a penalty for each such omission of Fifty pounds to be recovered on the complaint of the said Colonial Treasurer before any police Magistrate as in the case of servants' wages.

(3.) The Colonial Treasurer shall grant licenses to qualified persons to retail spirits, malt-liquors, and wines, and such licenses shall be granted by the said Treasurer according to the following rules and scales, that is to say; where the person applying to the Colonial Treasurer shall have been rated on trade by the Vestry of the Parish of Saint Michael as regards the City of Bridgetown, and the Parish of Saint Michael, and by the Vestry of the Parish of Saint Peter as regards Speights Town, for the year next preceding such application at twenty pounds or over, he shall pay for such license the sum of thirty pounds; if rated at ten pounds and less than twenty pounds, he shall pay for such license the sum of fifteen

Colonial Treasurer to grant licenses to persons in the City of Bridgetown or St. Michaels parish or Speights Town according to the sum at which they are rated.

LAWS OF BARBADOS

Proviso as to
retailers retailing at
more than one shop
within any of the
above areas.

pounds ; and if rated at less than ten pounds he shall pay the sum of ten pounds ; provided always that if any persons or person shall retail spirits, malt liquors and wines at more than one place in the city of Bridgetown and the Parish of Saint Michael or Speights Town respectively, then such persons or person shall be rated by the vestries of the parishes of Saint Michael and Saint Peter respectively. separately in respect of each place where they or he shall carry on such retail trade, and the amount to be paid for the license to be granted by the Colonial Treasurer for each place where such persons or person shall carry on such retail trade shall be regulated by the sum at which such persons or person shall be rated as aforesaid in respect of the place for which such license is required according to the rules and scales in this section before mentioned.

Colonial Treasurer to grant licenses to other persons within the above limits for the sum herein mentioned.

(4.) If any person applying for a license to retail spirits, malt liquors and wines shall not have been rated at all to the said City of Bridgetown, the parish of Saint Michael or Speights Town for the preceding year, whereof the absence of his name from the list of persons rated for the year next preceding his application to the Colonial Treasurer shall be conclusive evidence, then he shall be deemed to be applying for a license for the first time and in any such case he shall pay for such license to retail spirits, malt liquors and wines during the then current year the sum of ten pounds and no more ; provided always that if any persons or person already rated to the City of Bridgetown or parish of Saint Michael or Speightstown respectively as aforesaid, and holding a license for the retail of spirits,

Proviso as to persons opening a second business in Bridgetown St. Michaels or Speights Town

SESSION OF 1889-90.

malt liquors and wines in respect of any place for which he shall be rated as aforesaid shall desire to retail spirits, malt liquors and wines at any other place in the City of Bridgetown or parish of Saint Michael or Speightstown respectively, then such persons or person shall be deemed to be applying for a license for the first time, and shall pay for such license in respect of such last mentioned place the sum of ten pounds and no more, for the then current year.

(5.) All persons applying to the Colonial Treasurer for a license to retail spirits, malt liquors, and wines, in any parish of this Island other than the city of Bridgetown, the parish of Saint Michael and Speightstown shall pay for such license the sum of ten pounds; and all other provisions of this Act governing the application and the granting of licenses by the Colonial Treasurer, except as to the amount to be paid for any such license, shall be deemed and taken to be in full force, and are not in any way altered or amended.

5. (1) All licenses to be issued by the Colonial Treasurer under the authority of this Act shall be made terminable on the thirty first day of December, in every year, and shall be in the form in the schedule A; provided always that if any person holding a license expiring on the thirty first of December in any year shall sell any spirits, malt liquors, or wines between that date and the fifteenth day of January following he shall be liable for license duty for selling such liquids, and should he omit to take out a license by the said fifteenth day of January shall be liable to a penalty not

Colonial Treasurer to grant licenses for any place other than those abovementioned for sum herein mentioned.

All licenses to be made terminable on 31st December in the year in which granted

Proviso.

LAWS OF BARBADOS.

exceeding double the amount of the cost of such license.

License renewed after 15th January deemed a new one.

(2.) Any license to retail spirits, wines, or malt liquors, not renewed between the first and fifteenth days of January in every year shall be deemed a new license.

Signboard.

Description of sign board to be set up by retailer.

Penalty.
Inland Revenue Officer to warn retailer not exposing his sign board.

6. Every person obtaining any such license as aforesaid, shall before selling or bartering any spirits, malt liquors, or wines under the same, set up and affix a sign board over the door, or on some other conspicuous part of the front of his house, in which the aforesaid liquors are to be disposed of, such board to have the number of the license, the name of the party to whom granted, and also the words "Licensed Retailer of Liquors" painted thereon, in large white letters, not less than two inches in length on a black ground under a penalty of one pound for every day's omission to set up and affix such board as aforesaid. If an Inland Revenue Officer on any visit of inspection he may pay to any house licensed for the retail of the liquors aforesaid, shall find the sign board hereinbefore referred to not exposed in its proper place, he shall give warning in such respect to such retailer, and should the said officer re-visit such house of retail, within or at the expiration of seven days after such warning, and find that no notice has been taken of it, or that the sign board is not fixed up as hereinbefore required, it shall be deemed and considered that such board had not been properly placed or exposed for such seven days or any less number of days according to the lapse of time between the first and second visit of the offi-

SESSION OF 1889-90.

cer, and such retailer shall thereupon be liable to a penalty of one pound per day for each of the days during which such sign board continued to be improperly placed or exposed.

Premises in which liquor may not be retailed.

7. (1) No person shall retail rum in any place which has been already used for that purpose if such place is within fifty yards from the nearest distillery, unless he shall be allowed to do so by a license under the hand of the Governor-in-Executive Committee. Rum not to be retailed within 50 yards of a distillery except by permission if place previously used for that purpose.

(2) No rum shall be retailed in any place not hitherto used for the purpose within fifty yards of the nearest distillery. And in no case, if place not so previously used.

(3) Any person who shall infringe the provisions of either of the two last preceding sub-sections shall be liable to a penalty not exceeding one hundred pounds and shall forfeit his license, if any. Penalty for infringing this section.

Removal of license.

8. When it may happen that any person holding a license under the provisions of this Act shall be desirous to remove from the house from which such license was originally granted, and to use such license for another house, before attempting to do so, he shall give notice in writing, at least fourteen days previous to such desired removal, addressed to the Colonial Treasurer giving such particulars with respect to such house to which he desires to remove, as are hereinbefore required to be given when it is intended to apply for a license; and upon Fourteen days notice of proposed removal to be given to the Treasurer.

LAWS OF BARBADOS

- Proceedings there- on. receipt of such letter by such Treasurer, he shall proceed as is required when a license is first applied for ; and upon his satisfying himself from the certificate of the magistrate of the district that there is nothing objectionable in such house to which it is proposed that such license shall be removed, the Treasurer shall endorse upon the applicant's license the particulars relating to such change of house, and upon such endorsement such applicant shall be at liberty to remove his license to such house for use, and any person violating any of the provisions of this clause, shall be dealt with as selling or bartering without a license ;
- License to be endorsed. Provided always that not more than two
- Proviso with regard to number of removals and to places of amusement. such removals shall be permitted in any one year, and provided further that any person duly licensed may with the permission of the Colonial Treasurer, to be given in writing, carry on his trade or business in houses, booths, tents or other places at the time or place, and within the limits of holding any lawful or accustomed amusement or exhibition, or at any public races.

License to be used for one house only.

- Penalty for using one license for more than one house. 9. If any person who shall have obtained a license under the provisions of this Act, shall use the same in selling, retailing or bartering any spirits, malt liquors or wines in more than one house, except as provided by this Act, he shall for every such offence incur a penalty equal to double the amount of the value of license, and in default of payment shall be liable to imprisonment for any term not less than three months nor exceeding twelve months.

SESSION OF 1889-'90.

Disorderly conduct on licensed premises.

10. (1) Upon information upon oath that any house licensed for retailing spirits malt liquors or wines is permitted to be the resort of prostitutes or gamblers or other dissolute or idle persons, or is allowed to be the scene of loose, disorderly or improper conduct, or dancing or drumming, any police magistrate may summon the party licensed to appear before him to answer the premises, and summon and compel the attendance of witnesses and examine them on oath, and on sufficient proof of the commission of such acts as aforesaid, he shall require the person so convicted to deliver up his license to such magistrate, who shall declare the same to be forfeited, and he shall certify to the Colonial Treasurer the proceedings taken in such case, and transmit to him the license taken from the person so offending, and the Treasurer shall thereupon cancel such license and cause a notice thereof to be inserted in the "Official Gazette," that the same has been cancelled.

(2.) If any licensed retailer of liquors who shall be ordered under the preceding sub-section to deliver up his license to the police magistrate, shall refuse to comply with the order, he shall upon complaint, to be lodged before any police magistrate, be liable to be imprisoned for any term not exceeding three months with or without hard labour.

Penalty for refusing to deliver up license.

Entry and search of unlicensed premises.

11. It shall be lawful for the Colonial Treasurer, any Inland Revenue Officer or officer of the Customs Department, any Justice of the Peace, or any Parochial Treasurer within his parish, to enter at any

Colonial Treasurer &c., may enter houses &c., of traders and if they are not licensed seize

LAWS OF BARBADOS

spirits &c.. found time between the hours of six a.m., and
therein. nine p.m., the houses, shops, or stores of
all persons trading or carrying on any business with a view to ascertaining whether any of the offences mentioned in this act have been committed ; and where such persons so trading or carrying on business are not licensed retailers of liquors to seize all spirits, malt liquors or wines which they may find therein.

Production of license.

Colonial Treasurer &c., may enter premises of retailers and call for their licenses. 12. It shall be lawful for the Colonial Treasurer and any Inland Revenue Officer, any officer of the Customs' Department, Justice of the Peace, Policeman or Constable, or any Parochial Treasurer within his parish to enter on the premises of persons engaged in the retail of spirits, malt liquors, or wines, and to call for and examine their licenses with the view of ascertaining that the provisions of this Act are not infringed ; and if any retailer when so called upon by any of the hereinbefore mentioned persons to produce his license shall refuse to do so, or shall in any way, obstruct hinder or prevent any such officer from inspecting such license he shall incur a penalty not exceeding ten pounds.

Penalty for refusing to produce the same &c.,

Hawking of spirituous liquors

Persons selling spirits &c., in public places may be apprehended. 13. And it shall be lawful for any of the persons mentioned in the last preceding section if he shall see any person in the act, of hawking or selling in any street or any road or other thoroughfare or public place, yard, or savannah, or exposing to sale in any manner prohibited any spirits, malt liquors,

SESSION OF 1889-90.

or wines, to apprehend or cause any such person to be apprehended, and to seize any such spirits, malt liquors, or wines as aforesaid, or to receive them when seized by any other person, and to take the person so apprehended before a police magistrate to be dealt with for the offence as hereinafter provided; any such liquids so seized as aforesaid shall be dealt with as such police magistrate shall decide, in accordance with the provisions of this Act. Provided always that it shall be the especial and positive duty of any Revenue Officer to see that the proceedings of all retailers, as defined by this Act are in accordance with their licenses, and with the provisions of this Act.

Strength of rum sold.

14. No rum made in this Island shall be sold or exposed for sale of a strength less than twenty five per cent under proof under a penalty of not exceeding five pounds; and the burden of the proof that the rum was not made in this Island shall fall on the defendant; provided always that rum in this section shall not include liquors mixed with rum, and mixtures compounds or preparations of rum.

Rum not to be sold or exposed for sale if less than 25 o/o under proof.

Adulteration.

15. No licensed retailer of liquors shall mix or permit another to mix rum with any ingredient or material so as to render the rum injurious to health, with intent that the same may be sold in that state; and no licensed retailer of liquors shall sell or expose for sale any rum so mixed under a penalty not exceeding twenty five pounds.

No licensed retailer to adulterate &c., rum intended for sale so as to render it injurious to health.

LAWS OF BARBADOS

Publication of names of licenses.

List of licenses granted to be published monthly by Colonial Treasurer. 16. The Colonial Treasurer shall advertize monthly in one or more of the newspapers of the Island, a list of all licenses issued by him under the provisions of this Act, in the order of date and number, and shall cause the like information to be inserted in the "Official Gazette" and he shall also cause to be inserted in the "Official Gazette" notices of all licenses permitted to be used at other houses, than those for which they were granted originally, and of all licenses cancelled or forfeited, together with any other information required to be published in the "Official Gazette" under the provisions of this Act.

Restriction in respect of garrison on licenses granted.

Number and position of liquor-shops in the vicinity of the Garrison to be determined each year by the Police Magistrates and a Military Board. 17. The number of licenses for retail of spirits, malt liquors, and wine, within the distance of half a mile from the boundaries of the Garrison shall be limited, and it shall be the duty of the police magistrates of Bridgetown, after consultation with a Military Board, to be appointed by the Commander in Chief of the forces, to certify to the said Treasurer, within fifteen days of the expiration of each year the number and position of retail houses which in their judgment it may be expedient to license for the sale of spirits, malt liquors and wines within the aforesaid distance. And the said Treasurer in the issuing of licenses as aforesaid shall duly observe and govern himself by the certificates of the said police magistrates.

SESSION OF 1889-90.

Sale of spirituous liquors in harbour prohibited.

18. (1) It shall not be lawful, from and after the passing of this Act, for any person or persons to sell, barter, or otherwise dispose of, on the waters either of Carlisle Bay, or of any of the ports or harbours of this Island, or on the sea surrounding the same, any wine, rum, brandy, gin, or other spirituous liquors, or any ale, porter, beer, or other fermented liquor whatsoever, to any mariner or other person, or persons whomsoever: and every person offending herein, shall on conviction in a summary manner before a police magistrate be liable to a penalty not exceeding ten pounds.

Sale of spirits &c. in Carlisle Bay and other ports prohibited.

(2) The provisions of the preceding subsection shall not extend or be construed to extend to prevent the sale, barter, or disposal on shipboard, in any port or harbours of this Island, of any cargo of wine, or other liquors, but the same shall only extend to the selling, bartering, or disposal by retail of wines and other liquors as aforesaid.

Preceding subsection to apply only to sale by retail.

Proceedings free of cost.

19. The police magistrates shall issue all summonses, writs, copies of proceedings, or other necessary legal documents required by any of the persons charged with official duties under this Act, in carrying out the provisions thereof, free of all cost or charge to any such person, and costs shall not be imposed on the persons charged with official duties under this Act, in prosecuting complaints, unless when such complaints shall be dismissed by any court on the ground of being frivolous or vexatious, or contrary to the provisions of this Act.

Summonses &c., to be issued free of cost.

No costs on prosecutor unless complaint frivolous.

LAWS OF BARBADOS

Legal assistance.

Legal assistance may be given at the public expense.

20. In order to guard the public interests in carrying out the provisions of this Act, legal assistance shall be afforded to any prosecutor at the public expense whenever the same shall be considered necessary by the Inspector of Inland Revenue Officers.

Penalties.

Recovery and disposal of penalties.

21. The penalties under this Act shall be recovered with costs in a summary manner on the complaint of the Colonial Treasurer, any Inland Revenue officer, any Justice of the Peace, any Custom's officer, any police constable or any parochial treasurer before a police magistrate, one moiety of each penalty being paid for his use and benefit, and the other moiety being paid into the public treasury for the uses of the Island; and complaints for the recovery of such penalties may be commenced within one year after the offence committed.

Appeal.

Offenders appealing against conviction to be detained in custody unless he enters into a recognizance.

22. (1) If any person shall appeal to the Assistant Court of Appeal or from that Court to the Court of Error against the conviction for any offence committed by him against the provisions of this or any Act amending this Act, such person shall be detained in custody until the hearing or withdrawal of the appeal unless he shall enter into recognizance in the form in schedule B to this Act before the court against whose decision or judgment the appeal is made with or without a surety or sureties as the said court may determine, conditioned to appear and try such appeal and to abide

SESSION OF 1889-90.

the judgment of such court thereon, and to pay such costs as may be awarded by such court; or the appellant may, if the court from whose decision or judgment he appeals thinks it expedient instead of entering into a recognizance give such other security by a deposit of money with the clerk of the court as that court may deem sufficient; provided always that such recognizance be entered into or such security be given within the period limited by law for making such appeal.

(2.) Any sum which may become due in pursuance of any recognizance or deposit given or made under the provisions of the last preceding section shall be recovered in a summary manner before a police magistrate on complaint of the clerk of the court directing such recognizance or deposit to be given or made, and shall be paid into the public treasury to the credit of the general revenue.

Proceedings on such recognizance.

Repeal.

23. The Acts mentioned in schedule C to this Act annexed are hereby repealed; provided that such repeal shall not affect;

Repeal and Savings.

1. The past operation of the enactments hereby repealed nor anything done or suffered under the enactments hereby repealed; nor
2. any right, privilege, obligation or liability acquired, accrued, or incurred under the enactments hereby repealed; nor
3. any penalty, forfeiture, or punishment incurred in respect of any offence

LAWS OF BARBADOS .

committed against the enactments hereby repealed ; nor

4. any investigation, legal proceeding or remedy in respect of such right, privilege, obligation, liability, penalty forfeiture, or punishment as aforesaid, any such investigation, legal proceeding and remedy may be carried on as if this Act had not passed ; nor

5. any enactment in which such enactment has been applied, incorporated, or referred to.

Commencement
and duration of Act.

24. This Act shall not come into operation until the first day of January one thousand eight hundred and ninety one, and shall continue in operation until and inclusive of the thirty first day of December one thousand eight hundred and ninety one.

SCHEDULE A.

(SEC. 5.)

BARBADOS. No.

License to retail liquors.

To _____ of the parish of _____

You are hereby authorized to retail liquors at (describe fully the premises in respect of which the license is granted) until the thirty-first day of December next, pursuant to the provisions of "The Liquor License Act, 1890."

Given under my hand this _____ day of _____, One thousand eight hundred and _____

Colonial Treasurer

SESSION OF 1889-'90.

SCHEDULE B.

(SEC. 22).

R E C O G N I Z A N C E.

Complainant or Appellant }
Defendant or Respondent. }

The undersigned
 principal party to this recognizance hereby
 binds himself to perform the following
 obligation namely :

And the said principal party together with
 the undersigned sureties hereby severally
 acknowledge themselves to forfeit to the
 crown the sums following—that is to say,
 the said principal party the sum of
 pounds and the said sureties the sum of
 pounds each in case the said
 principal party fails to perform the above
 obligation.

Dated this day of 18
 Signed A. B. Principal Party,
 C.F. } Sureties
 D.E }

LAWS OF BARBADOS

SCHEDULE C.

Date of Act.	Title of Act.	Extent of Repeal
23rd November 1840	An Act to prohibit the selling of wines and spirituous liquors in any of the ports or harbours of this Island.....	The whole Act
2nd September 1841	An Act to explain and amend an Act of this Island entitled, "An Act to prohibit the selling of wines and spirituous liquors in any of the ports or harbours of this Island"....	The whole Act
6th November 1876	An Act to regulate the sale of liquors by retail...	The whole Act
18th November 1876	An Act to amend an Act entitled, "An Act to regulate the sale of liquors by retail".....	The whole Act
17th July 1885	An Act to amend "The Liquor License Act, 1876".....	The whole Act
17th November 1887	An Act to consolidate and amend the law of this Island relating to the distillation of rum, and to the payment of duty thereon...	Sections 136 to 139 inclusive
2nd December 1887	An Act to further amend The "Liquor License Act, 1876".....	The Whole Act.
25th April 1888	An Act to amend "The Rum Duty Act, 1888".....	The Whole Act.

SESSION OF 1889-90.

CAP. XL.

(Assented to 8th July, 1890.)

BARBADOS.

An Act to consolidate the Acts relating to the taking and carrying away sand from certain parts of the beach.

BE it enacted by the Governor, Council, and Assembly of this Island, and by the authority of the same as follows ;

Short Title.

1. This Act may be cited as " The Beach Protection Act, 1890." Short title.

Removal of sand.

2. (1.) If any person shall, (except as is hereinafter excepted,) dig, take, or carry away, or aid or assist in digging, taking, or carrying away any sand, stones, shingle or gravel from any part of the beach or sea-shore of this Island, between Oistin's Fort windward, and Harrison's point in the parish of Saint Lucy, such person shall, on conviction be liable to a penalty not exceeding five pounds to be recovered in a summary manner on the complaint of any person.

(2.) It shall and may be lawful for the Executive Committee, the Commissioners of the highways, their deputies, officers, servants, and all persons acting under their orders or by their authority, to dig, take and carry away any sand, stones, shingle or gravel, from any part of the beach or sea-shore aforesaid, for the uses of Her Majesty her heirs and successors, for the public works and buildings of this Island, and for the highways.

The Taking away of sand from the shore within certain limits prohibited.

Prohibition not to extend to the removal of sand by the Executive Committee or Highway Commissioners for public purposes.

LAWS OF BARBADOS.

or to the removal of sand within certain limits for building or domestic purposes.

(3.) Nothing in the first part of this section contained shall prevent the removal for building or domestic purposes of the wash or gravel usually called " Bay Sand " along the western coast extending from the rivulet at Yatch Battery in the parish of Saint Michael to Harrison's Point in the parish of Saint Lucy : provided also that no sand shall be removed from any part of the beach without the consent of the owner or representative of the land bounding the beach on which such sand may be.

Apprehension of offenders.

Offenders may be apprehended by any person with or without a warrant.

3. It shall and may be lawful for any person with or without a warrant from a police magistrate to apprehend any person who contrary to the provisions of this Act may be found digging, taking or carrying away, or aiding or assisting in digging, taking, or carrying away sand, stone, shingle or gravel, from any part of the beach or sea-shore aforesaid, and by and with the assistance of his servants (if necessary) with all convenient speed to carry before a Police Magistrate to be dealt with according to the provisions of this Act.

Seizure and disposal of carts &c.

Boats carts &c., used in contravention of the Act may be seized with or without a warrant.

4. If any boats, waggons, carts, or hand or wheel-barrows, or other vehicles, or carriages, horses, mules, asses, or cattle, shall be used by any person contrary to the provisions of this Act in the removal of sand, stones, shingle or gravel from any part of the beach or sea-shore aforesaid, it may be lawful for any person with or without the warrant of a Police Magistrate to seize and detain all such boats, waggons, carts, hand

SESSION OF 1889-90.

and wheel-barrows, or other vehicles, or carriages, horses, mules, asses, and cattle, and to make complaint thereof before the police magistrate of the parish who is hereby authorized and empowered, on due proof thereof, to deposit such waggons, carts, hand and wheel-barrows, or other vehicles or carriages, horses, mules, asses, and cattle, within the prison-yard in this Island, and to fine the owners or proprietors thereof in the sum of one pound twelve shillings sterling, for every such waggon, cart, hand or wheel-barrow, or other vehicle or carriage, horses, mules, asses, or cattle: and if the same be not claimed within fifteen days from the date of such fine, to condemn all and every such boats, waggons, carts, hand or wheel-barrows, or other vehicles or carriages, horses, mules, asses, and cattle, as aforesaid, to her Majesty her heirs and successors: and the same, when so condemned, shall by order of the said police magistrate be sold at public auction, by the district auctioneer and the money arising therefrom paid into the public treasury, for the uses of the Island.

Penalties.

5. All fines, forfeitures and penalties under this Act may be recovered in a summary manner before a Police Magistrate on the complaint of any person and one half thereof paid to the complainant and the other half into the public treasury to the credit of the general revenue.

Recovery and disposal of penalties.

Repeal.

6. The Acts mentioned in the schedule to this Act are hereby repealed; provided—

Repeal and savings.

LAWS OF BARBADOS

ed always that such repeal shall not affect

1. The past operation of the enactments hereby repealed nor anything done or suffered under the enactments hereby repealed ; nor
2. any right, privilege, obligation, or liability acquired, accrued, or incurred under the enactments hereby repealed ; nor
3. any penalty, forfeiture, or punishment incurred in respect of any offence committed against the enactments hereby repealed ; nor
4. any investigation, legal proceeding or remedy in respect of such right, privilege, obligation, liability, penalty, forfeiture, or punishment as aforesaid, and any such investigation, legal proceeding and remedy may be carried on as if this Act had not passed.

SCHEDULE.

Date of Act.	Title of Act.	Extent of Repeal
16th Octr. 1833....	An Act the more effectually to prevent the taking and carrying away of sand from off certain parts of the beach.....	The whole Act.
6th July 1887....	An Act to extend the provisions of "The Beach Protection Act, 1833".....	
		The whole Act.

SESSION OF 1889-90.

CAP. XLI.

(Assented to 8th July, 1890.)

BARBADOS.

An Act to consolidate and amend the Acts relating to poor apprentices.

BE it enacted by the Governor, Council, and Assembly of this Island, and by the authority of the same; as follows:—

1. This Act may be cited as "The Apprentices Act, 1890."

Short title.

2. It shall and may be lawful for any boy, or girl within this Island, under the age of twenty one years, by indenture under hand and seal, to contract, agree and bind him or herself an apprentice to any person exercising a trade, calling, or husbandry within this Island, for and during any term, until they shall arrive unto the age of twenty one years; provided the said contract and agreement be made by, and with the consent of one of the parents of the said boy, or girl so to be bound apprentice as aforesaid: and in case the parents of such boy or girl be dead, then by and with the consent and approbation of the guardian of such boy or girl, and in case such boy or girl have no parent or guardian living then with the consent and approbation of the next police magistrate to the place where the parents of the said boy or girl lived, and the churchwarden of that parish: which police magistrate and churchwarden are hereby required to examine the master or mistress, what trade, calling or occupation, he or she is of; and consider whether the said boy or girl, so to be bound apprentice

Any person under 21 may by indenture bind himself as apprentice until he attains 21.

Consent of parent, if living, or if none, then of guardians, or if none, then of Police magistrate and Churchwarden to be obtained.

LAWS OF BARBADOS

as aforesaid, be fit for such the trade calling or occupation, of such master or mistress. And if it appear to the said police magistrate and churchwarden, that the said boy or girl be fit for such trade, calling or occupation, then the said police magistrate and churchwarden are to see the said master or mistress, and the said boy or girl sign, seal and deliver the indentures of apprenticeship, interchangeably, and set their hands to an endorsement thereupon signifying their approbation thereof. And all such indentures of apprenticeship, so signed and sealed by any boy or girl, under the age of twenty one years, with the consent of the parent, guardian or police magistrate and churchwarden aforesaid, shall be sufficient to oblige the said boy or girl to serve his master or mistress the term, and to do and perform the covenants and agreements therein specified, as well and effectually, to all intents and purposes, as if the said boy or girl were above the age of twenty one years at the sealing thereof; any law to the contrary notwithstanding.

Police magistrate may bind as apprentices any idle persons under 21 until they attain 21.

3. It shall and may be lawful for any police magistrate within this Island, to bind out any loose, idle or unsettled persons under the age of twenty one years to apprenticeship, for any term, until he or she arrive unto the age of twenty one years; wherein the said police magistrate shall observe and proceed in such manner as is appointed by a statute made in the fifth year of the reign of Queen Elizabeth, Chap. 4.

Any Churchwarden with the Police Magistrate's consent may bind as apprentice any child

4. It shall and may be lawful for the churchwarden of any parish within this Island, with the consent of the police magistrate of the parish, to put out apprentice

SESSION OF 1889-90.

any boy or girl, under the age of twenty-one under 21 who has years, who has been educated at the ex- been educated at the expense of the parish in which such boy or the expense of the girl lives ; and any and every such indenture of apprenticeship, signed and sealed by the churchwarden of such parish, and such police magistrate, shall be as effectual, to all intents and purposes, as if the parent or parents of such boy or girl had signed or consented to the same, anything in the said Act, or in any law, usage or custom to the contrary in any wise notwithstanding.

5. If any dispute shall happen betwixt the master or mistress of any such apprentice so placed out as aforesaid, and the apprentice, which cannot be settled and accommodated by the interposition of the parent or guardian, complaint may be made on either side to any police magistrate who is hereby empowered and required to hear and determine the same by a due examination of witnesses on oath ; and if it shall appear to the said police magistrate that the said master or mistress has been guilty of such gross behaviour, as to render it improper for the said apprentice to serve out his time, he is forthwith to discharge such apprentice from the said service, and to transfer him or her to such other person for the remainder of the term, as the parent or guardian shall think fit, and can procure to accept of, and take such apprentice.

Police Magistrate entitled to settle disputes between apprentices and their Masters.

If master is in fault apprentice may be transferred to another Master

6. From the time of such acceptance, the new master or mistress, and the said apprentice, shall in all respects be on the same terms, as if the said apprentice had been first bound to him or her, so accepting and taking such apprentice for the residue

LAWS OF BARBADOS

If apprentice is in fault he is ordered to perform his duty under a penalty on non-compliance.

Penalty for decoying or detaining away any apprentice with intent to send him to another colony.

of the term : but if it appear to the said police magistrate, that any such apprentice be in the fault, the said police magistrate to order such apprentice, on the penalty of being committed to gaol till a compliance, immediately to repair home to his master or mistress, there to continue and perform his duty for the residue of the term then to come ; and to be liable as before to such moderate correction, as is allowed by the laws of England in the like case.

7. If any person shall take away, decoy, or entice away, or detain any young person, over the age of twelve, and under the age of twenty-one years, who shall at the time be an apprentice to any trade or calling, from the service of the master or mistress to whom such young person is apprenticed, with intent to send away such person from this Island, for the purpose of being employed in any other colony ; or if any person shall, with such intent as aforesaid, receive or harbour any such young person, knowing the same to have been so taken away, decoyed, or enticed away, or detained as hereinbefore last mentioned, or if any person shall, with such intent as aforesaid, and without the knowledge of such master or mistress as aforesaid, send or carry away, or cause and procure to be sent or carried away from this Island, any such young person being such apprentice as aforesaid, every such person shall for every such offence, on conviction thereof, before any police magistrate, incur a penalty not exceeding fifty pounds, nor less than ten pounds, to be raised as in the case of servants' wages, and paid one half to the informer, and the other

SESSION OF 1889-'90.

half into the public treasury for the uses of this Island.

8. If any person shall appeal to the Assistant Court of Appeal or from that Court to the Court of Error against the conviction for any offence committed by him against the provisions of this or any Act amending this Act, such person shall be detained in custody until the hearing or withdrawal of the appeal unless he shall enter into recognizance in the form in schedule B to this Act before the Court against whose decision or judgment the appeal is made with or without a surety or sureties as the said Court may determine, conditioned to appear and try such appeal and to abide the judgment of such Court thereon, and to pay such costs as may be awarded by such Court; or the appellant may, if the Court from whose decision or judgment he appeals thinks it expedient, instead of entering into a recognizance give such other security by a deposit of money with the Clerk of the Court as that Court may deem sufficient; provided always that such recognizance be entered into or such security be given within the period limited by law for making such appeal.

Offender appealing against any conviction under this Act to be detained in custody unless he enters into a recognizance.

9. Any sum which may become due in pursuance of any recognizance or deposit given or made under the provisions of the last preceding section shall be recovered in a summary manner before a Police Magistrate on complaint of the Clerk of the Court directing such recognizance or deposit to be given or made, and shall be paid into the public treasury to the credit of the general revenue.

Proceedings on such recognizance.

LAWS OF BARBADOS.

Repeal.

Repeal and sav-
ings.

10. The several Acts mentioned in schedule A to this Act are hereby repealed, provided that this repeal shall not affect ;

1. The past operation of the enactments hereby repealed nor anything done or suffered under the enactments hereby repealed ; nor
 2. any right, privilege, obligation, or liability acquired, accrued, or incurred under the enactments hereby repealed ; nor
 3. any penalty, forfeiture, or punishment incurred in respect of any offence committed against the enactments hereby repealed ; nor
 4. any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture, or punishment as aforesaid, and any such investigation, legal proceeding and remedy may be carried on as if this Act had not passed.
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SESSION OF 1889-90.

SCHEDULE. A.

Date of Act.	Title of Act.	Extent of Repeal.
3rd October 1688 7th February 1748 12th Nov. 1799.... 26th April 1839....	An Act for binding and ordering poor apprentices An Act concerning apprentices An Act to amend an Act entitled "An Act for binding and ordering poor apprentices" An Act to prevent the clandestine deportation of young persons from this Island.....	The whole Act. The whole Act. The whole Act. Section two

LAWS OF BARBADOS

SCHEDULE B.

R E C O G N I Z A N C E.

Complainant or Appellant }
Defendant or Respondent }

WHEREAS the undersigned

principal party to this recognizance hereby binds himself to perform the following obligation namely :

The said principal party together with the undersigned sureties hereby severally acknowledge themselves to forfeit to the crown the sums following—that is to say, the said principal party the sum of pounds and the said sureties the sum of pounds each in case the said principal party fails to perform the above obligation.

Dated this day of 18

Signed A. B. Principal Party,

C.F }
D.E } Sureties.

CAP. XLII.

(Assented to 9th July, 1890)

BARBADOS.

An Act to consolidate and amend the Acts relating to lepers.

BE it enacted by the Governor, Council, and Assembly of this Island, and by the Authority of the same, as follows :

SESSION OF 1889-90.

Short title

1. This Act may be cited as "The Lepers Act, 1890" Short title.

Maintenance

2. (1) The Governor-in-Executive Committee shall take care that the buildings of the Lazaretto are at all times kept in proper repair and sufficiently furnished with all necessary things for the use of the patients therein, and he shall from time to time make and give such orders and directions as to him may seem fit for the proper supply of food, medicines, and clothing, requisite for persons afflicted with leprosy.

Governor-in-Executive Committee to maintain the Lazaretto and supply the lepers therein with all necessaries

(2.) The Governor-in-Executive Committee is hereby authorized to provide such articles for the employment, instruction, and amusement of the lepers confined in the Lazaretto, as he may from time to time think proper.

Governor-in-Executive Committee to provide for instruction &c., of lepers.

Officers and servants

3. (1) The Governor shall, when and so often as may be necessary, appoint the several officers herein after mentioned, who shall be paid the annual salaries hereinafter specified. that is to say:— Fixed staff of officers.

A Superintendent	£ 125
A Surgeon	£ 100
A Chaplain	£ 30
A Matron	£ 50
A Steward	£ 50

(2) Such other officers or Servants as may from time to time be necessary shall be appointed by the Governor, provided that their salaries are first voted by the Legislature. Governor may appoint additional officers.
Proviso.

LAWS OF BARBADOS.

Salaries how payable.

(3) The salaries of all such officers and servants shall be paid monthly as from the first day of April instant, on the warrant of the Governor-in-Executive Committee.

Inmates

Lepers applying for admission to be received.

4. (1) It shall and may be lawful for The Governor-in-Executive Committee, and he is hereby required, upon any application made to him for that purpose, to receive into the said asylum any person or persons afflicted with leprosy, there to be kept, taken care of, and maintained at the public expense.

Police Magistrate may order any leper found asking alms &c., to be apprehended and detained in the Lazaretto.

(2) If any persons afflicted with leprosy shall be found asking alms, or seeking precarious support, or shall be without any visible means of subsistence it shall and may be lawful for any Police Magistrate, upon the oath of at least one credible witness, by warrant under his hand directed to any police officer or constable, to cause any such afflicted person to be apprehended and conveyed to the said asylum, there to be kept, taken care of and maintained at the public expense, until he or she shall be duly discharged as hereafter provided. And any person or persons, making any false oath on any such occasion, shall on conviction thereof be liable to be punished as a person or persons guilty of perjury. Provided always that it shall not be lawful for the Governor-in-Executive Committee to receive and detain any person in the said asylum by order of any Police Magistrate, unless it shall appear by a certificate under the hand of the surgeon of the said asylum, that the person named therein is afflicted with the disease called leprosy.

SESSION OF 1889-90.

(3) The onus of proof that he has the means of subsistence shall be on the person.

(4.) All persons afflicted with leprosy, who may be placed in the said asylum shall be there safely kept and not suffered to quit the same, or to be at large, until the Governor-in-Executive Committee shall sanction the discharge of such persons, and shall signify the same in writing under his hand.

Lepers not to quit the Lazaretto without the sanction of the Governor-in-Executive Committee.

Discipline.

5. It shall be lawful for the Governor to appoint a justice of the peace or police magistrate to be visiting justice of the Lazaretto, and such visiting justice shall have jurisdiction to hear and determine all cases arising under this Act, and shall be allowed for expenses incurred by him in visiting the Lazaretto the sum of ten shillings for each visit; such sum to be paid from the Public Treasury on the warrant of the Governor-in-Executive Committee.

Governor to appoint a visiting justice to hear and determine cases under this Act.

6. (1.) If any inmate of the Lazaretto shall quit it without leave, or shall violate any rule or regulation concerning the government, management or conduct of the Lazaretto made by the Governor-in-Executive Committee, such inmate shall be guilty of an offence under this Act, and on summary conviction before the visiting justice or any police magistrate shall be liable to imprisonment with or without hard labor, in the case of a first offence, for any term not exceeding one month, and in the case of a second or any subsequent offence, for any term not exceeding three months.

Offences under this Act.

Penalty.

LAWS OF BARBADOS

No appeal to the Assistant Court of Appeal. (2.) No appeal to the Assistant Court of Appeal shall lie against the decision or sentence of such visiting justice.

Persons sentenced under this Act may be imprisoned in a place of confinement at the Lazaretto. 7. Any person sentenced to imprisonment under the last preceding section of this Act may be lawfully imprisoned in a proper place of confinement to be provided for that purpose at the Lazaretto by the Governor-in-Executive Committee, any law or usage to the contrary notwithstanding provided that for any sufficient reason to be approved by the Governor, any person who may be sentenced as aforesaid may nevertheless be imprisoned in an ordinary prison.

Such place may be changed from time to time and shall be deemed a prison. 8. The place of confinement provided at the Lazaretto may, if necessary, be changed from time to time

9. The said place of confinement shall be deemed and taken to be a prison, and shall, so far as the same are applicable thereto, be subject to any laws or regulations for the time being in force for the government of prisons within this Island.

Rules and Regulations.

Governor-in-Executive Committee empowered to make regulations. 10. The Governor-in-Executive Committee shall from time to time make such regulations as to them shall seem expedient for the management and conduct of the said asylum. And the said regulations shall be fixed up in one or more conspicuous place or places in the asylum, and the same shall be valid and binding on all parties.

Repeal.

Repeal and savings. 11. The Acts mentioned in the schedule to this Act annexed are hereby repealed provided that this repeal shall not affect ;

SESSION OF 1889-'90.

1. The past operation of the enactments hereby repealed nor anything done or suffered under the enactments hereby repealed ; nor
2. any right, privilege, obligation or liability acquired, accrued, or incurred under the enactments hereby repealed ;
3. any penalty, forfeiture, or punishment incurred in respect of any offence committed against the enactments hereby repealed ;
4. any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture, or punishment as aforesaid, and any such investigation, legal proceeding and remedy may be carried on as if this Act had not passed.

Suspending.

12. This Act shall not come into operation unless and until the officer administering the government notifies by proclamation that it is Her Majesty's pleasure not to disallow the same, and thereafter it shall come into operation upon such day as the officer administering the government shall notify by the same or any other proclamation.

Suspending section.

LAWS OF BARBADOS

SCHEDULE.

Date of Act.	Title of Act.	Extent of Repeal
24th January 1846.....	An Act to provide for the Care and Maintenance of Persons afflicted with Leprosy.....	The whole Act.
22nd November 1856...	An Act to amend An Act to provide for the care and maintenance of persons afflicted with Leprosy...	he whole Act.
22nd February 1865...	An Act to repeal so much of the sixth clause of the Act of the 24th January 1846, as requires the Surgeon to provide the medicines for the Lepers, and to authorise the expense of providing same to be paid out of the Treasury.....	The whole Act. The whole Act.
4th March 1871.....	An Act to provide a Chaplain for the Lazaretto.....	
18th February 1873...	"An Act to authorise the Consolidated Board to provide such articles as they may deem proper for the employment, instruction and amusement of the lunatics and lepers in the lunatic asylum and lazaretto of this Island.....	So much of the Act as relates to the lazaretto.
17th June 1884.....	An Act to amend the law relating to the care and maintenance of Lepers.....	The whole Act.

SESSION OF 1889-90.

CAP. XLIII.

(Assented to 22nd July, 1890.)

BARBADOS.

An Act to consolidate and amend the Acts of this Island relating to the Customs Establishment.

BE it enacted by the Governor, Council and Assembly of this Island, and by the authority of the same, as follows:

1. This Act may be cited as "The Customs (Establishment) Act, 1890." Short title.
2. The Customs Establishment shall consist of the following officers at the respective annual salaries hereinafter specified, namely; The Customs Establishment, its officers and their salaries.

A Comptroller at.....	£600
A Landing Surveyor at.....	£350
Two officers, each at.....	£300
One officer at.....	£240
One officer at.....	£225
Two officers, each at.....	£200
Two officers, each at.....	£160
Three officers, each at.....	£150
Six officers, each at.....	£100
3. The salaries of the said officers shall be paid from the public treasury on the warrant of the Governor-in-Executive Committee by equal monthly instalments. Salaries how paid
4. The said officers shall be appointed by the Governor. Governor to appoint.
5. The Comptroller of Customs shall be responsible for the general management and administration of the Department and he shall perform all such duties as may now or hereafter be imposed upon him by law or Duties of Comptroller of Customs.

LAWS OF BARBADOS.

by direction of the Governor-in-Executive Committee.

Duties of other officers.

6. The officers of the Department other than the Comptroller shall perform such duties respectively as shall from time to time be assigned to them by the Comptroller with the approval of the Governor-in-Executive Committee.

Security to be given by every officer.

7. Every officer of the Customs Establishment shall enter with two sufficient sureties into bond to Her Majesty Her heirs and successors in such form and in such amounts as the Governor-in-Executive Committee may determine, conditioned for the due discharge of his duties and for duly accounting for all monies or other property coming into his hands or under his control.

Exemption of officers from certain public duties.

8. No officer of the Customs Establishment shall be compelled to serve in any parochial or other public office or employment, or on any jury or inquest, or on the appraisement of any property, or in the Militia of this Island.

Officers not to be concerned in trade or eligible to the Legislature.

9. The officers of the Customs Establishment shall not be concerned in trade or other business, or be eligible to the Council or Assembly of this Island.

Penalty on officers receiving gratuities and on persons giving the same.

10. If any officer or other person acting in any office or employment in or belonging to the said Customs Establishment shall, directly or indirectly, take or receive any fee, perquisite, gratuity, or reward, of any sort or description whatsoever, on account of anything done, or to be done in, or in any way relating to his office or employment, other than the salary and emoluments allowed him by law, he shall, on proof thereof to the Governor be dismissed from his office or employment; and every person who shall

SESSION OF 1889-90.

give, offer, or promise to give, any such fee, perquisite, gratuity, or reward; shall, for every such offence, forfeit the sum of one hundred pounds.

11. The Governor-in-Executive Committee may from time to time appoint, the hours of general attendance of the respective officers of the Customs Establishment, at the proper offices and places of employment, and the Comptroller may appoint the times during such hours at which any particular parts of the duties of such officers and other persons respectively shall be performed. And the Governor-in-Executive Committee may also, from time to time, make rules and regulations for the better government, ordering, and supervision of the officers and persons employed in the Customs Establishment, and of the several matters intrusted to their charge, and vary and alter the same from time to time.

Governor-in-Executive Committee may regulate the hours of attendance &c., of officers.

12. This Act shall not come into operation unless and until the Officer administering the Government notifies by proclamation that it is Her Majesty's pleasure not to disallow the same, and thereafter it shall come into operation upon such day as the Officer administering the Government shall notify by the same or any other proclamation.

Suspending sec- tion.

Repeal.

13. The Acts mentioned in the schedule to this Act annexed are hereby repealed; provided that such repeal shall not affect;

Repeal and sav- ings.

1. The past operation of the enactments hereby repealed nor anything done or suffered under the enactments hereby repealed ; nor

LAWS OF BARBADOS

2. any right, privilege, obligation or liability acquired, accrued, or incurred under the enactments hereby repealed ; nor
 3. any penalty, forfeiture, or punishment incurred in respect of any offence committed against the enactments hereby repealed ; nor
 4. any] investigation, legal proceeding or remedy in respect of such right, privilege, obligation, liability, penalty forfeiture, or punishment as aforesaid, any such investigation, legal proceeding and remedy may be carried on as if this Act had not passed ; nor
 5. any Acts in which the enactments hereby repealed have been applied, incorporated, or referred to.
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SESSION OF 1889-90.

SCHEDULE.

Date of Act.	Title of Act.	Extent of Repeal.
5th May 1874.....	An Act to consolidate and amend the several acts of this Island relating to the Customs Establishment.....	The whole Act
3rd November 1874..	An Act to cure a defect in the Act of the 4th October 1870, entitled, "An Act to regulate the landing and storing of petroleum and its products and to provide a jetty or wharf for landing it and suitable buildings for storing the same;" arisen by reason of the repeal of an Act of the 29th November 1853, and other Acts which related to the Customs Establishment.....	The whole Act.
24th December 1881..	An Act to make certain re-arrangements in the Staff of the Customs Establishment.....	The whole Act.
28th March 1882....	An Act to consolidate and amend the law relating to the storage and importation of petroleum...	Section six.
30th July 1887.....	An Act to reduce the expenditure in certain departments of the Civil Service of this Island.	That part in which any reference is made to the Customs Department except section five.
15th July 1889.....	An Act to provide for the appointment of two additional Landing Waiters in the Customs Establishment.....	The whole Act.

LAWS OF BARBADOS

CAP. XLIV.

(Assented to 22nd July, 1896.)

BARBADOS.

An Act to provide for a loan from the public treasury to the Governing Body of Queen's College.

BE it enacted by the Governor, Council, and Assembly of this Island, and by the authority of the same, as follows ;

Loan of £400 granted from the Treasury to the Governing Body of Queen's College.

1. A loan of four hundred pounds is hereby granted from the public treasury to the Governing Body of Queen's College for the purpose of assisting such Governing Body to pay a loan of five hundred pounds, raised under the provisions of "The Queen's College Loan Act, 1885," and the Act of the eighth day of February, one thousand eight hundred and eighty seven, entitled, An Act to amend "The Queen's College Loan Act, 1885," and the Governor-in-Executive Committee is hereby authorised and required to issue a warrant to the treasurer of the Island requiring him to pay as a loan the said sum of four hundred pounds to the order of the said Governing Body of Queen's College, and the lands and buildings of which the said Governing Body may be possessed for the purposes of the said School shall be charged with, and subject and liable to the payment of the said loan of four hundred pounds hereby granted, until the same shall be repaid.

Lands &c., of College charged with the repayment of the same.

Loan to be repaid by 31st December 1902.

2. The said loan shall be repaid on or before the thirty first day of December one thousand nine hundred and two.

SESSION OF 1889-'90.

Suspending clause.

3. This Act shall not come into operation unless and until the Officer administering the Government notifies by proclamation that it is Her Majesty's pleasure not to disallow the same, and thereafter it shall come into operation, upon such day as the Officer administering the Government shall notify by the same or any other proclamation.

CAP. XLV.

(Assented to 15th August 1890.)

BARBADOS.

An Act to consolidate the Acts relating to Lighthouses.

BE it enacted by the Governor, Council, and Assembly of this Island, and by the authority of the same, as follows:—

1. This Act may be cited as "The Light houses Act, 1890." Short title.

South Point Light House.

2. The Governor for the time being is hereby authorized and empowered to appoint from time to time, and during pleasure, one keeper of the light-house on the Southern Coast known as the South Point Lighthouse at an annual salary of one hundred pounds, sterling money, and two assistant keepers, at the annual salary of fifty pounds, sterling money each; and the Executive Committee are hereby authorized to procure, by contract or otherwise, oil, candles, wicks, materials, utensils, and all such other things as shall be necessary for maintaining the aid light in the most efficient manner; Governor to appoint keepers &c., Executive Committee to provide for the light &c., and to make rules and regulations.

LAWS OF BARBADOS

and also to provide for the necessary repairs of the light-house, and the lanterns and appurtenances thereof, and for keeping the same at all times in good order and condition, and properly and sufficiently supplied; and also to make and enforce rules and regulations for the proper and orderly lighting and keeping of the said light-house, and to annul, rescind, or alter such rules and regulations.

Governor-in-Executive Committee empowered to expend £500 yearly, for the purposes aforesaid.

3. The Governor-in-Executive Committee shall from time to time in the usual manner issue a warrant to the Treasurer of the Island for paying the sums of money required for maintaining the said lighthouse and light not exceeding the annual sum of five hundred pounds sterling money (salaries included).

Needham's Point Light House.

Executive Committee to maintain the Needham's Point Light.

4. The Executive Committee shall be and they are hereby authorized and empowered out of the funds placed at their disposal by section three of this Act to provide for and maintain the harbour light at Needham's Point.

Ragged Point Light House.

Governor to appoint keepers &c.

5. The Governor is hereby authorized and empowered to appoint from time to time, and during pleasure, one keeper for the lighthouse on the Eastern Coast known as The Ragged Point Lighthouse at the annual salary of One hundred pounds, and two assistant keepers at the annual salary of Fifty pounds each; and the salaries stated shall be paid from the public treasury in the usual manner, by warrant of the Governor-in-Executive Committee,

SESSION OF 1889-'90.

6. The Governor-in-Executive Committee shall from time to time in the usual manner issue a warrant to the Treasurer of the Island for paying the annual sum estimated as required for maintaining the said lighthouse and light irrespective of salaries; not exceeding the annual sum of two hundred and forty pounds.

Governor-in-Executive Committee empowered to expend £240 yearly, in maintaining the said light.

Damage to Lighthouses.

7. If any person shall wilfully put out or injure the said lights or shall wilfully destroy or injure the said lighthouses or any building belonging thereto, such person shall on conviction thereof at the Court of Grand Sessions be fined or imprisoned at the discretion of the said Court, and in case the injury or damage done to the said lighthouse or any building thereof shall not exceed the sum of twenty pounds sterling it shall and may be lawful for a Police Magistrate to hear and determine the same, and to impose a fine on the offender not exceeding the sum of twenty pounds sterling money of this Island, and if not paid within fourteen days, the Police Magistrate shall by warrant under his hand commit the offender to prison for three months unless the fine be sooner paid.

Penalty on putting out the said lights or injuring them or the said lighthouses.

Repeal.

8. The Acts mentioned in the schedule hereto annexed shall be and they are hereby repealed to the extent to which such Acts are by such schedule declared to be repealed.

LAWS OF BARBADOS

SCHEDULE.

Date of Act.	Title of Act.	Extent of Repeal.
5th August 1836....	An Act to provide for the erection of a Light House on this Island.....	The whole Act.
14th Sept. 1847....	An Act to carry out the provisions of the Act entitled, "An Act to provide for the erection of a Light House in this Island" and also to make provisions for the Maintenance of the same when erected.....	The whole Act.
28th August 1851	An Act to authorise the Commissioners of the Mole Head to provide and maintain a Harbour Light House at Needham's Point.....	The whole Act.
26th March 1856..	An Act to provide for the care and maintenance of the Harbour Light at Needham's Point.....	The whole Act.
10th June 1873....	An Act to repeal an Act of this Island passed on the 30th day of April 1872, entitled, "An Act to provide for the erection and maintenance of a Light House on the East Coast of this Island," and to make other provision in lieu thereof.....	The Whole Act.
30th July 1887....	An Act to reduce the expenditure in certain departments of the Civil Service of this Island.....	The portions of Schedule A Parts 1 and 2 relating to the Light House Keepers at South Point, Ragged Point and Needham's Point.

SESSION OF 1889-90.

CAP. XLVI.

(Assented to 19th August 1890.)

BARBADOS.

An Act to consolidate and amend the Acts of this Island relating to lunatics and their property.

BE it enacted by the Governor, Council, and Assembly of this Island, and by the authority of the same, as follows :—

1. This Act may be cited as “ The Lunatics Act, 1890.”

Short title.

2. The following pieces of land, viz ;—

(1.) a piece of land containing forty eight acres, three roods and ten perches, commonly called or known as “ Jenkinsville,” and

(2.) a piece of land containing six acres and thirty two perches forming part of a place commonly called or known as “ Rosemont,”

“ Jenkinsville” and a part of “ Rosemont,” vested in the Executive Committee for an estate of fee simple in possession free from incumbrances.

which said pieces of land are situate in the Parish of Saint Michael and of which respectively the boundaries are delineated in two plots marked “A” and “B” respectively certified by the Honourable George Clarke Pile to be the plots of the said pieces of land and recorded in the Colonial Secretary’s Office, together with all buildings thereon and all ways, passages, waters, rights, easements, privileges and appurtenances belonging thereto or heretofore used and enjoyed therewith, are hereby vested in the Executive Committee, their successors in office and assigns, for an estate of fee simple in possession free from all incumbrances.

LAWS OF BARBADOS

Asylum to be under direction of Governor-in-Executive Committee.

Governor-in-Executive Committee to provide articles for employment &c., of inmates.

Governor-in-Executive Committee to keep the buildings in repair and to see that all necessary supplies are provided for the Establishment.

Governor to appoint officers and servants.

Governor-in-Executive Committee to make rules and regulations.

3. (1) The buildings and premises of the existing Lunatic Asylum, or of any Lunatic Asylum that may hereafter be built shall be under the direction and management of the Governor-in-Executive Committee.

(2.) The Governor-in-Executive Committee shall be and is hereby authorized to provide such articles for the employment, instruction, and amusement of the lunatics confined in the lunatic asylum as he in Executive Committee may from time to time think proper.

4. The Governor-in-Executive Committee shall take care that the buildings of the asylum are at all times kept in proper repair and sufficiently furnished with all necessary things for the use of the persons confined therein, and shall from time to time make and give such orders and directions as may seem fit for the proper supply of food, medicines, and clothing requisite for such persons as shall be kept in confinement in the asylum.

5. The Governor shall appoint a member of the medical profession to perform the duties of physician and resident superintendent at a salary of four hundred pounds per annum and shall appoint from time to time all the officers, servants, and attendants of the said asylum, and he may discharge them and appoint others in their room.

6. The Governor-in-Executive Committee may make, alter, or annul such rules and regulations as to them shall seem expedient for the management and conduct of the said asylum, in which regulations shall be set forth the number and description of officers, servants, and attendants to be employed,

SESSION OF 1889-90.

the duties to be required of them, and what salaries shall be respectively paid to them, such rules shall be valid and binding on all persons.

7. Lunatics, insane persons, or dangerous idiots, now in confinement in the lunatic asylum, or who may hereafter be placed therein, shall be safely kept, and shall not be suffered to quit and be at large until the Governor-in-Executive Committee shall order their discharge, and shall signify the same in writing under his hand, and if any officer, servant or assistant in the asylum shall, through neglect or connivance, permit any such person to escape and be at large without such order as aforesaid, he shall, for every such offence, be liable to a fine not exceeding two pounds.

Provision for safe custody of patients.

8. The Governor-in-Executive Committee after consultation with the Medical Superintendent of the asylum, shall discharge there from any lunatic confined therein (except any lunatic prisoner removed there by warrant from the Governor) whose perfect recovery may be certified by such Medical Superintendent, and it shall also be lawful for the Governor-in-Executive Committee after consultation with the Medical Superintendent of the asylum, to permit the removal therefrom of any lunatic, insane person, or idiot, now or hereafter placed in confinement therein (except any lunatic prisoner removed there by warrant from the Governor) whose relations or friends may be willing to undertake the charge and care of such person, and shall satisfy the Governor-in-Executive Committee of their ability so to do.

Provision for the discharge or removal of patients.

LAWS OF BARBADOS.

Returns to be made by the Medical Superintendent monthly.

9. The Medical Superintendent of the asylum, shall make regular returns once in every month to the Governor-in-Executive Committee of the state and condition of all persons committed to his care.

Powers of Executive Committee in regard to private asylums.

10. If any insane persons to the number of two or more shall be confined in any private or parochial house, building or asylum it shall and may be lawful for any person ordered by the Governor-in-Executive Committee to do so, to visit at all times any such house, building, or asylum and to ascertain, by the examination of witnesses on oath (and which oath such person is hereby authorized to administer) if such insane persons are properly treated, and to give such orders and directions with respect to the treatment of such insane persons as to him shall seem meet. And if the person in charge of such house, building or asylum, shall neglect or refuse to attend to such orders or directions, he shall, for every such offence, forfeit the sum of two pounds.

Powers of Governor-in-Executive Committee to compel attendance of, and to examine parties

11. It shall be lawful for the Governor-in-Executive Committee by warrant under his hand directed to a police officer or constable, to compel their attendance before him of any person, and to examine him on oath (and which oath the Governor-in-Executive Committee is hereby authorised to administer) touching and concerning any of the matters and things in this Act contained, and for the better enabling the Governor-in-Executive Committee to carry out the out the provisions thereof.

Governor may order removal or detention of duly certified lunatic to or

12. (1) It shall be lawful for the Governor to order, whenever it may appear to him necessary, any lunatic duly certified to be under provisions of this Act to be

SESSION OF 1889-90.

removed to and detained in such place as in such place as he to the Governor may seem fit for such may deem fit. purpose.

(2) The provisions of this Act shall so far as they may be applicable, apply to the lunatic removed and confined under the provisions of the last preceding subsection and to the place in which he may be confined after removal.

13. (1) If any person, by lunacy or otherwise, shall be so furiously mad, or so far disordered in his senses that it may be dangerous to permit him to go abroad, it shall be lawful for two Justices of the Peace one of whom shall be a Police Magistrate by warrant under their hands directed to a police officer or constable, to cause such person to be apprehended and brought before them; and the Justices shall, with the aid of two physicians or surgeons inquire as to the insanity of such person, and if it shall be duly certified to the Justices by the said two physicians or surgeons that such person is insane, such person shall, by the warrant of the Justices, be conveyed to the said lunatic asylum, there to be safely kept and confined until he shall be duly discharged.

Apprehension of lunatics at large and proceedings to be thereupon taken.

(1) If he has not been in a Lunatic Asylum within the preceding 12 months.

(2) In the case of any person brought before any two Justices of the Peace as a supposed lunatic under the provisions of the preceding subsection, if it shall appear that such person has been an inmate of any lunatic asylum at any time within the period of twelve months next preceding, it shall be lawful for the said two Justices, if they shall think fit, to issue their warrant for the conveyance of such person to the lunatic

And (2) if he has been in a Lunatic Asylum within that time.

LAWS OF BARBADOS

asylum and his confinement thereat without requiring the attendance or certificate of any physician or surgeon ; provided that in any case of difficulty the said two Justices shall obtain the assistance on the enquiry of a physician or surgeon, who shall receive the fee hereinafter mentioned.

Remuneration to Medical men whose services may be required in cases of pauper lunatics.

14. In cases of pauper lunatics, in which the aid of physicians or surgeons may be required under the authority of this Act, such physicians or surgeons shall, in each case, be paid from the public treasury a fee of one pound one shilling each for their advice and certificate.

Proceedings to be taken in cases of lunatics who are in prison.

15. If any person, whilst detained in any prison, or other place of confinement, under sentence of death, transportation, or imprisonment, or under a charge of any offence, or for not finding bail for good behaviour, or to keep the peace, or to answer a criminal charge or in consequence of any summary conviction or order by any Police Magistrate or under any other civil process, shall appear to be insane, it shall be lawful for any two Justices of the Peace one of whom shall be a Police Magistrate to inquire, with the aid of two physicians or surgeons, as to the insanity of such person ; and if it shall be duly certified by such Justices and such physicians or surgeons, that such person is insane, it shall be lawful for the Governor, upon receipt of such certificate to direct, by warrant under his hand, that such person shall be removed to the lunatic asylum ; and every person so removed there shall remain under confinement in the asylum until it shall be duly certified to the Governor by two physicians or surgeons that such person has become of sound mind, whereupon the Gov-

SESSION OF 1889-90.

error is hereby authorized, if such person shall still remain subject to be continued in custody, to issue his warrant to the resident superintendent, or other person in charge of the asylum, directing that such person shall be removed back from thence to the prison, or other place of confinement from whence he shall have been taken, or if the period of imprisonment or custody of such person shall have expired, that he shall be discharged.

16. If upon the trial of any person charged with treason, murder, or felony, or with any misdemeanour, it shall be given in evidence that such person was insane at the time of the commission of such offence, and such person shall be acquitted, the jury shall be required to find specially whether such person was insane at the time of the commission of such offence; and to declare whether such person was acquitted by them on account of such insanity, and if they shall find that such person was insane at the time of committing such offence, and was in consequence thereof acquitted by them, the Court before whom such trial shall be had, shall order such person to be kept in strict custody, in such place and in such manner, as to the Court shall seem fit, until her Majesty's pleasure shall be known, and it shall thereupon be lawful for her Majesty to give such order for the safe custody of such person during her pleasure in such place, and in such manner, as to her Majesty shall seem fit; and in all cases, where any person before the passing of this Act has been acquitted of any such offence on the ground of insanity at the time of the commission thereof, and has been detained in custody as a dangerous

Persons acquitted
of crimes on the
ground of insanity
how to be dealt
with.

LAWS OF BARBADOS

person, by order of the Court before whom such person has been tried, and still remains in custody, it shall be lawful for her Majesty to give the like order for the safe custody of such person during her pleasure, as her Majesty is hereby enabled to give in the case of any person who shall hereafter be acquitted on the ground of insanity.

Inspection of place wherein any lunatic may be confined.

17. (1.) It shall be lawful for the Governor at any time to authorize and direct the Medical Superintendent of the Lunatic Asylum together with some duly qualified physician or surgeon, to visit and inspect any house or place wherein any lunatic or person represented to be a lunatic shall be confined or alleged to be confined, and inquire into the state of such lunatic, and to report to him the result of such inspection and inquiry, and should it appear to the Governor, on receiving such report, that the treatment or state of health of the lunatic is such as to make it advisable so to do it shall be lawful for him to order the removal of such lunatic to the lunatic asylum, and any person resisting or opposing the execution of such order, or resisting or opposing the person so appointed by the Governor, shall be liable to a penalty not exceeding fifty pounds.

Powers of removal to Lunatic Asylum.

Penalty on resisting order of removal.

(2.) Every person removed to the lunatic asylum by order of the Governor under the authority of this Act, shall be deemed and considered to come within the provisions of this Act.

Payment of medical men and of expenses incurred in removal of lunatic to Asylum.

(3.) Every physician or surgeon employed for the purposes, and under the provisions of the first sub-section of this section shall be paid a fee of two guineas out of the Public Treasury, which fee together with

SESSION OF 1889-'90.

any expense which may have been incurred in and about the removal of any lunatic to the lunatic asylum, under the authority of this Act, shall be allowed and paid by the Governor-in-Executive Committee.

18. If any person confined in the Lunatic Asylum shall be possessed of any estate or property, the Governor-in-Executive Committee shall fix what weekly or other rate shall be charged on his estate for his maintenance and care during his confinement, and shall certify the same to the Treasurer of the Island, who is hereby authorized to demand payment thereof from the person in charge of the estate and property of the lunatic, and which, if not paid within ten days after the time fixed for payment by the Governor-in-Executive Committee, the said Treasurer shall issue his warrant to a police-officer or constable for levying and raising the same by sale as in the case of servants' wages, of sufficient part of such estate and property.

Patients possessed of property to have their expenses charged on their estate.

19. No person who may be legally responsible for the maintenance of any lunatic shall by reason of the removal of such lunatic to the lunatic asylum, under the authority of this Act, be absolved from his responsibility in that respect, but every such person shall be liable to pay such weekly sum towards the maintenance of such lunatic, while an inmate of the asylum, as the Governor-in-Executive Committee shall, looking to the circumstances of the party, think just and reasonable, and the amount so fixed by them shall be certified to the Colonial Treasurer, who shall require, and if necessary, enforce payment thereof in the manner

Responsibility for maintenance of lunatic.

LAWS OF BARBADOS

pointed out in and by the last preceding section.

Persons liable to punishment for ill-treatment of lunatics.

20. If any person, in whose custody or care any lunatic may be, shall abuse or ill-treat such lunatic, such person shall be guilty of a misdemeanor, and shall be liable on conviction thereof to be imprisoned for any term not exceeding two years, with or without hard labour.

Application of penalties,

21. The penalties and forfeitures under this Act shall be to her Majesty her heirs and successors, and shall be recovered in a summary manner, together with costs, on the complaint of any person before a Police Magistrate as in the case of servants' wages, and paid into the public treasury for the uses of the Island.

Jurisdiction of Court of Chancery in respect of lunatics.

Powers of Court of Chancery in Barbados with respect to.

22. The Court of Chancery of this Island shall have power and authority to do, exercise, and perform all acts, matters and things necessary for the due execution within this Island, of such equitable jurisdiction as is possessed by the Lord High Chancellor of England, in the exercise of similar jurisdiction within the realm of England; and also to do all such other acts, matters, and things as can and may be done by the said Lord High Chancellor within the realm of England in the exercise of the Common Law jurisdiction to him belonging, and to appoint guardians and committees of the persons and estates of infants and of natural-born fools, lunatics, and persons deprived of understanding, and reason by the act of God, and unable to govern themselves or their estates, and for that purpose to inquire into, hear, and determine

Infants and Lunatics.

SESSION OF 1889-90.

by inspection of the person, the subject of such inquiry, or by examination on oath, or otherwise, of the party in whose custody or charge such person may be, or of any other person or persons, or by such other ways and means by which the truth may be best discovered, and to act in all cases whatsoever as fully and amply to all intents and purposes as the said Lord High Chancellor or the grantee from the Crown of the person and estates of infants and lunatics, natural-born fools, and persons deprived of understanding as aforesaid, may now lawfully do.

23. Where it is established to the satisfaction of the said Court by affidavit or otherwise, that any person is of unsound mind and incapable of managing his affairs and that his property does not exceed five thousand pounds in value, or that the income thereof does not exceed three hundred pounds per annum, the said Court may, without directing any inquiry under a Commission of Lunacy, make such order as may be considered expedient for the purpose of rendering the property of such person, or the income thereof, available for his maintenance or benefit, or for carrying on his trade or business: Provided nevertheless that the alleged insane person shall have such personal notice of the application for such order as aforesaid as the Court shall by general order to be made as hereinafter mentioned direct.

How property when under £5,000 of insane persons may be dealt with.

Proviso.

24. For the purpose of giving effect to any such order as is mentioned in the last preceding section, the said Court may order any land, stock, or other property, of such person as aforesaid, to be sold, charged by

Power in Court to sell and give a conveyance of real or personal property &c.,

LAWS OF BARBADOS

way of mortgage or otherwise disposed of, and a conveyance, transfer, charge, or other disposition thereof to be executed or made by any person on his behalf, and may order the proceeds of any such sale, charge or other disposition or the dividends or income of such land, stock or property to be paid to any relative of such insane person, or to such other person, as it may be considered proper to trust with the application thereof to be by him applied in the maintenance or for the benefit of the insane person, or of him and his family either at the discretion of such relative or person, or in such manner, and subject to such control and with or without such security for the application thereof as the said Court may direct. And for the purpose above mentioned the said Court shall have all the same powers with respect to the transfer, sale and disposition of, and otherwise respecting the real and personal property of such person as aforesaid, as if he had been found lunatic by inquisition.

Court to make rules as to manner of proceeding.

25. The said Court may from time to time make such general orders as may be thought fit for regulating the procedure to be adopted, the duties to be performed by the Master of the said Court, and for carrying the objects of the two last preceding sections into effect, and for vesting in such Master such powers as the said Court may consider expedient for the purposes aforesaid.

Persons acquitted in a Criminal Court on ground of insanity, and continuing insane to come under operation of this Act.

26. Where any person has, on the trial of any indictment, been acquitted on the ground of insanity, it shall be lawful for the said Court, on being satisfied by affidavit or otherwise of the continued insanity of such person, and of his being still in confinement

SESSION OF 1889-90.

to make any such order with respect to the property of such person, and the application for his maintenance or benefit, or that of his family, or for carrying on his trade or business, as is mentioned in the three last preceding sections of this Act.

Repeal.

27. The Acts mentioned in the schedule to this Act annexed are hereby repealed provided that this repeal shall not affect ;

1. The past operation of the enactments hereby repealed nor anything done or suffered under the enactments hereby repealed ; or
 2. any right, privilege, obligation, or liability acquired, accrued, or incurred under the enactments hereby repealed :
or
 3. any penalty, forfeiture, or punishment incurred in respect of any offence committed against the enactments hereby repealed; or
 4. any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty forfeiture, or punishment as aforesaid and any such investigation, legal proceeding and remedy may be carried on as if this Act had not passed ; or
 5. any enactment in which such enactment has been applied, incorporated, or referred to.
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LAWS OF BARBADOS.

SCHEDULE

Date of Act.	Title of Act.	Extent of Repeal.
18th April 1853.....	An Act to consolidate and amend the laws relating to the care and maintenance of lunatics.....	The whole Act.
11th August 1868.....	An Act to authorize the Honourable Francis Gooding, M.D., the Honourable John Sealy, the Honourable N. Jones Pile, of the Council, and John Gittens, George Donovan, John Griffith, James Smith, and John Elcock Pillgrim, Esquires, Members of the Assembly, to purchase a piece of Land for erecting a Lunatic Asylum.....	
		The whole Act.

SESSION OF 1889-90.

SCHEDULE—continued.

Date of Act.	Title of Act.	Extent of Repeal.
8th September 1869..	An Act to amend the Act of this Island, entitled, "An Act to authorize the Honourable Francis Gooding, M.D., the Honourable John Sealy, C.M.G., the Honourable N. Jones Pile, of the Council, John Gittens, George Donovan, John Griffith, James Smith, and John Elcock Pillgrim, Esquires, Members of the Assembly, to purchase a piece of land for erecting a Lunatic Asylum....."	The whole Act.
30th December 1871.	An Act to remove doubts as to the Jurisdiction of the Court of Chancery of this Island, and to make special provision with respect to Lunatics and Insane persons in certain cases....	The whole Act.
24th August 1872....	An Act for the better care and protection of Lunatics	The whole Act.
18th February 1873.	An Act to authorise the Consolidated Board to provide such articles as they may deem proper for the employment, instruction, and amusement of the Lunatics and Lepers in the Lunatic Asylum and Lazaretto of this Island.....	The whole Act.

LAWS OF BARBADOS

SCHEDULE—concluded.

Date of Act.	Title of Act.	Extent of Repeal.
12th July 1879.....	An Act to authorize lunatics to be removed and to be detained in places other than the Lunatic Asylum, and to render lawful any such removals or detentions, as may heretofore have taken place.....	The whole Act.
15th June 1881.....	An Act to amend An Act of the eighteenth day of April one thousand eight hundred and fifty three, entitled, "An Act to consolidate and amend the Laws relating to the care and maintenance of Lunatics," by reducing the expenses attendant on the holding of Boards of Lunacy.....	The whole Act.
16th February 1889..	An Act to vest certain lands in the Executive Committee for the erection of a Lunatic Asylum thereon.....	The whole Act.
8th March 1890.....	An Act to amend An Act entitled, An Act to remove doubts as to the jurisdiction of the Court of Chancery of this Island, and to make special provisions with respect to Lunatics and insane persons in certain cases—passed on the 30th day of December 1871.....	The whole Act.

SESSION OF 1889-90.

CAP. XLVII.

(Assented to 19th August 1890.)

BARBADOS.

An Act to provide for taking a Census of Barbados in the year one thousand eight hundred and ninety one.

WHEREAS it is Her Majesty's gracious pleasure that a Census of the population of Her Colonial Possessions should be taken in the year one thousand eight hundred and ninety one; Be it therefore enacted by the Governor, Council, and Assembly of this Island, and by the authority of the same, as follows;

1. It shall be lawful for the Governor-in-Executive Committee to cause to be prepared and printed, for the use of the persons to be employed in taking the Census, such forms and instructions as he shall deem necessary; and the Colonial Secretary shall issue all such forms and instructions to the persons for whose use they shall be intended; and all the expenses which shall be incurred by authority of this Act shall be paid by the Colonial Treasurer on the warrants of the Governor-in-Executive Committee.

Preparation of Forms.
Payment of all expenses under the Act.

2. It shall be lawful for the Governor to appoint by warrant under his hand and seal, two Commissioners for the City of Bridgetown, two Commissioners for the parish of Saint Michael and one Commissioner for each of the other parishes, to be called Commissioners of Census. The Census of Speightstown shall be taken by the Commissioner for the parish of Saint Peter.

Appointment of Commissioners of Census.

3. Every parish and town shall be formed.

Formation of En

LAWS OF BARBADOS.

enumerators divisions, ed into Enumerators divisions, according to subject to approval of Governor-in-Executive Committee. instructions to be prepared under the direction of the Governor-in-Executive Committee ; and the Colonial Secretary shall cause a sufficient number of copies of such instructions to be sent to every such Commissioner and the Commissioners with all convenient speed shall divide the several parishes and towns into Enumerators divisions, according to such instructions, and subject in each case to the approval of the Governor-in-Executive Committee.

Enumerators lists to be prepared by the Commissioners and approved of by Governor-in-Executive Committee. 4. The several Commissioners shall make and return to the Governor-in-Executive Committee a list containing the names and places of abode of a sufficient number of persons duly qualified, (according to instructions to be prepared under the direction of the Governor-in-Executive Committee,) to act as enumerators within their several districts ; and such persons when approved of by the Governor-in-Executive Committee shall be appointed by him Enumerators for taking the Census ; and the Commissioners shall assign a division to each Enumerator, and shall distribute to the several Enumerators in his district, the forms and instructions, which shall have been issued for that purpose by the Governor-in-Executive Committee, and shall personally ascertain that each Enumerator thoroughly understands the manner in which the duties required of him are to be performed.

Distribution of forms.

Colonial Secretary to give notice of Divisions and Enumerators. 5. The Colonial Secretary shall cause a notice of the appointment of such Enumerators and the divisions assigned to them respectively to be inserted in the "Official Gazette," which shall on simple production

SESSION OF 1889-'90.

in all Courts and in all proceedings before any Court or Magistrate, be deemed good and sufficient evidence of the appointment of such Enumerators respectively and of the several divisions assigned to them respectively.

6. Schedules shall be prepared under the direction of the Governor-in-Executive Committee, for the purpose of being filled up by or on behalf of the several occupiers of dwelling houses as hereinafter provided with particulars of the name, sex, age, complexion, rank, profession or occupation, (or if attending school and how long so attending) religion, condition as to marriage, relation to head of family, and birthplace of every living person who abode in every house on the date which shall hereafter be appointed by the Proclamation of His Excellency the Governor; and also whether any were blind deaf, or dumb, or insane or idiotic or lepers. And the said Commissioners shall in the course of the week ending on the day preceding the date so fixed by Proclamation as aforesaid cause the Enumerators to leave at every dwelling house within their respective districts one or more of the said schedules for the occupier or occupiers thereof, or any part thereof; and upon every such schedule shall be plainly expressed that it is to be filled up by the occupier of such dwelling house, (or where such dwelling house is let in different stories or apartments, and occupied distinctly by different persons or families by the occupier of each such distinct story or apartment,) and that the Enumerator will collect all such schedules within his division on the day then next following the date so fixed by Proclamation as aforesaid,

Schedules.

Schedules shall be left at every dwelling house on the day appointed.

Contents of Schedules.

LAWS OF BARBADOES

and every occupier of every dwelling house or of any distinct story or apartment in any dwelling house with or for whom any such schedule shall have been left as aforesaid, shall fill up such schedule to the best of his or her knowledge and belief, so far as relates to all persons dwelling in the house, story or apartment occupied by him or her and shall sign his or her name thereunto, and shall deliver the schedule so filled up or cause the same to be delivered to the Enumerator when required so to do; and every such occupier who shall wilfully refuse or without lawful excuse shall neglect to fill up the said schedule to the best of his or her knowledge and belief, or to sign and deliver the same as herein required, or who shall wilfully make, sign or deliver or cause to be made, signed and delivered, any false return of all or any of the matters specified in the said schedule shall be liable to a penalty not exceeding five pounds.

Occupiers to fill
up Schedules.

Penalty on neglect or making false
returns.

Schedules to be
collected on day
appointed and Enumerators to complete defective returns and copy.

7. The Enumerators shall visit every house in their respective divisions, and shall collect all the schedules so left within their divisions from house to house so far as may be possible on the day then next following the date so fixed by Proclamation as aforesaid and shall complete such of the schedules as upon delivery thereof to them shall appear to be defective, and correct such as they find to be erroneous, and shall copy the schedule when completed and corrected, into books to be provided them for that purpose, and shall add thereunto an account according to the best information which they shall be able to obtain of all the other persons living within their division who shall

SESSION OF 1889-90.

not be included in the Schedules so collected by them.

8. In the book in which he shall have copied the householder's schedules and other particulars as hereinbefore directed, every Enumerator shall also take an account of the occupied houses and of the houses then building and therefore uninhabited, and also of all other uninhabited houses within his division, and shall also take an account of all such particulars hereinbefore mentioned, and none others, as by the forms and instruction which may be issued under this Act they may be directed to inquire into, and shall within fifteen days deliver such book to the Commissioner of the district together with the householder's schedules collected by him, and shall sign a form or declaration to the effect that the said book has been truly and faithfully filled up by him, and that to the best of his knowledge the same is correct so far as may be known; which form of declaration shall be prepared under the direction of the Governor-in-Executive Committee and issued by the Colonial Secretary with the forms and instructions aforesaid.

Returns to be made of occupied and uninhabited houses.

And of houses in course of erection.

Enumerators to declare to the faithfulness of their returns.

9. The Commissioners to whom such Enumeration books shall be delivered, shall examine the same and shall satisfy themselves that the instructions in each case have been punctually fulfilled, and if not shall cause any defect or inaccuracy in the said book to be supplied so far as may be possible, and when the book shall have been made as accurate as possible, the Commissioners shall within fifteen days after the latest of such returns shall have been delivered to them respectively transmit the

Commissioners to satisfy themselves that the Enumerators have made accurate returns and transmit them within 15 days to Colonial Secretary.

LAWS OF BARBADOS

same together with the original returns to the Colonial Secretary at his office.

Governor-in-Executive-Committee to appoint some person to attend to the preliminary arrangements.

10. It shall be lawful for the Governor-in-Executive Committee to appoint some fit and proper person as Compiler of the Census to attend to the preliminary arrangements and distribution of the forms, and afterwards to prepare from the returns such abstract or abstracts and in such form as shall be prescribed by the Governor-in-Executive Committee for the information of Her Majesty's Government; and such abstract or abstracts shall be furnished and laid before the Legislative Council and the General Assembly within six months next after the date fixed by Proclamation for taking the Census, and the person so to be appointed shall be paid on warrant of the Governor-in-Executive Committee such sum of money from the public treasury of the Island for his services therein as the Governor-in-Executive Committee may think fit to award, not exceeding the sum of one hundred pounds together with a sum not exceeding the sum of one hundred and fifty pounds for clerical assistance in preparing such abstract or abstracts.

Abstracts to be laid before the Legislature.

Payment of services of such person.

Enumerators of public or charitable institutions.

11. The Governor or keeper of every gaol, prison, or place of confinement, and the superintendent or master or mistress of every hospital, asylum, boarding school, or other public or charitable institution and the Sergeant or person in charge of every police station within this Island, shall be the Enumerator of the inmates thereof, and shall be bound to conform to such instructions as shall be sent to him or her by the authority of the Governor-in-Executive Committee for obtaining the return required by

SESSION OF 1889-90.

this Act so far as may be practicable with respect to such inmates.

12. The Inspector General of Police and Harbour Master respectively shall obtain returns of the particulars required by this Act with respect to all houseless person or persons afloat and all persons who during the night, the date of which shall be fixed by Proclamation as aforesaid, were travelling or on shipboard, or from any other reason were not abiding in any house, of which an account is to be returned to the Commissioners of the several Districts who shall forward the same with their other returns to the Colonial Secretary.

Houseless person or persons afloat, and travellers during the night before the appointed day.

13. Each Commissioner shall be paid ten pounds, provided always that if the Commissioners districts shall contain more than five thousand inhabitants, he shall be entitled to an additional fee of five shillings for every one thousand persons or any fractional part of one thousand persons duly enumerated above five thousand, and each Enumerator employed under this Act shall be paid one penny for each person returned by such Enumerator; such moneys to be paid out of the public treasury, on warrant of the Governor; Provided always that no such Enumerator shall be entitled to payment for his services until he produce a certificate of approval of the manner in which his duty has been discharged, and of the number of persons actually returned by him, and of the amount to which he may be thereon entitled, under the hand of the Commissioner for the parish or town in which he has acted.

Payment of Commissioners.

Payment of Enumerators on production of a certificate from Commissioners.

14. In order to enable the Commissioners and Enumerators more effectually to

Authority to Commissioners and

LAWS OF BARBADOS

Enumerators to ask questions. carry out the intentions and provisions of this Act, they and each of them are hereby authorized to ask of any person presumed capable of affording the information required all such questions as may be necessary for obtaining the returns required by this

Penalty on refusing to answer or on making false answers. Act, and every such person so questioned as aforesaid refusing to answer or wilfully giving a false answer to any question or questions put, shall on conviction for such refusal or false answer, forfeit and pay a sum not exceeding five pounds.

Managers to assist Enumerators to procure information under a penalty. 15. The Manager or person in charge of any Estate in this Island whereon labourers, artificers or other persons shall reside, shall, when required so to do by any Enumerator afford to such Enumerator all assistance in his power with respect to the information required by this Act, to be procured concerning such persons; and any Manager or other persons refusing or neglecting to afford such assistance when applied to, shall in the absence of any satisfactory excuse, be liable on conviction to a penalty not exceeding five pounds.

Police and other Constables to assist Enumerators 16. All police officers and constables shall, on being required by such Enumerators as aforesaid, afford all assistance in their power for carrying into effect the provisions of this Act under a penalty in each case, of refusal or neglect thereof, on conviction, of a sum not exceeding five pounds.

Penalty on Commissioners or Enumerators neglecting duties or allowing false entries. 17. If any Commissioner or Enumerator duly appointed according to the provisions of this Act, shall refuse or neglect to perform any of the duties required of him by this Act, or shall make or knowingly suffer any other person to make a false entry on any return, or shall make any other re-

SESSION OF 1889-'90.

turn than such as he ought to make from the information actually received by him, such Commissioner or Enumerator shall for every such offence be liable on conviction to a penalty not exceeding twenty pounds.

18. All complaints arising from matters included in or coming under the provisions of this Act, may be brought by any police officer and determined by any Police Magistrate, and in case such Police Magistrate is a Commissioner, then by a Police Magistrate of an adjoining district, not being a Commissioner under this Act. How complaints under this Act are to be tried.

19. The fines and penalties imposed by this Act shall be to Her Majesty, her heirs and successors; and shall be recovered, levied and raised before a Police Magistrate on the complaint of any person as in the case of servants wages, and paid into the public treasury for the use of the Island. Recovery and appropriation of fines and penalties.

20. In the construction of this Act the words "dwelling house," shall include all buildings and tenements of which the whole or any part shall be used for the purpose of human habitation. Construction of the words "dwelling house."

LAWS OF BARBADOS

CAP. XLVIII.

Assented to 20th August 1890.

BARBADOS.

An Act to exempt all machinery and apparatus imported as well by Arthur Stephen Plews, Esquire, of England, carrying on business in the City of Bridgetown in this Island under the style or firm of "Geo. Whitfield & Co." as by any other persons for use in the construction and establishment of ice manufactories from the payment of all duties and imposts of every kind.

WHEREAS John Henry Austin Taylor of the parish of Saint Michael, in this Island, Esquire, one of the constituted Attorneys on record in this Island of the said Arthur Stephen Plews, carrying on business as aforesaid, has presented his humble petition to the Legislature, stating that the said Arthur Stephen Plews is desirous of establishing a manufactory for the making of ice in this Island, and praying for the reasons set forth in such petition that all the machinery and apparatus from time to time to be imported by the said firm of Geo. Whitfield and Co., for use in the construction and establishment of the proposed manufactory shall be exempted from all duties and imposts of every kind; And Whereas it is deemed expedient to allow not only all such machinery and apparatus so to be imported by him for the purpose aforesaid to be exempt from the payment of all duties and imposts, but also all machinery and apparatus to be imported by other persons for the same purpose; Be it therefore enacted by the Governor, Council, and

SESSION OF 1889-90.

Assembly of this Island and by the authority of the same, as follows ;

1. All machinery and apparatus from time to time imported into this Island to be used in the construction and establishment of ice factories and for the manufacture of ice shall be exempted from the payment of all duties and imposts of every kind. Machinery &c to be used in Ice Factories exempted from duty.

CAP. XLIX.

(Assented to 6th September, 1890.)

BARBADOS

An Act to consolidate and amend the Acts of this Island relating to Savings Banks.

BE it enacted by the Governor, Council, and Assembly of this Island and by the authority of the same, as follows ;

1. This Act may be cited as "The Savings Bank Act, 1890." Short title.

2. In this Act unless the context otherwise requires ; Interpretation Section.

The expression, "The Savings Bank" means the Principal Institution established in the City of Bridgetown.

The expression "District Savings Bank" means any branch of the Savings Bank, established or intended to be established under the provisions of this Act.

The expression, "The Actuary," means the person for the time being Actuary and Secretary of the Savings Bank, or his lawful deputy.

3. The Savings Bank established in the City of Bridgetown in this Island, for the savings of the labouring and industrial classes, and for the funds belonging to Management.

LAWS OF BARBADOS.

charitable and other societies in this Island shall be under the management of ten fit and proper persons of whom four shall be ex-officio managers, as hereinafter provided, and six shall be ordinary managers, appointed from time to time as vacancies shall occur, by the Governor-in-Executive Committee.

Ex Officio Managers.

4. The Colonial Secretary, the Attorney General, the Solicitor General, and the Colonial Treasurer for the time being, or the persons acting as such, shall be and they are hereby appointed ex-officio managers of the said bank for the purposes hereinafter mentioned.

Official manager to meet once a quarter.

5. The ex officio managers are hereby required to meet once in every three months to inspect the general affairs of the bank and shall perform such other duties as are hereinafter required of them.

Attendance of ordinary managers.

6. One of the ordinary managers shall attend on each day the bank is opened, and shall receive, as a remuneration for his services ten shillings for each day's attendance, to be paid from the surplus funds of the institution, and the ex officio managers are hereby authorized to allow the same.

Appointment of Actuary.

7. It shall be lawful for the Governor, whenever a vacancy shall occur, to nominate and appoint from time to time some fit and proper person to be the actuary and secretary of the said bank, who, before assuming the duties thereof, shall enter into a bond to our Sovereign Lady the Queen, her heirs and successors, in the sum of two hundred pounds, and two securities, each in the sum of one hundred pounds, for the due and faithful discharge of the duties of his office as such actuary and secretary and for the

Bond.

SESSION OF 1889-90.

due and faithful accounting for all moneys which may come to his hands under the authority of this Act.

8. The actuary and secretary of the Savings Bank shall receive from the surplus funds of the Savings Bank the annual salary of three hundred pounds in equal monthly payments, which sum the ex-officio managers are hereby authorized to allow in their inspection of the accounts of the Savings Bank; provided always that this section shall not affect the right of the present actuary and secretary of the Savings Bank to continue to contribute to the superannuation fund; provided also, that although the Savings Bank may be opened for every day in the week or the business thereof may be extended, the actuary shall not receive any further or greater salary on account thereof.

Remuneration of Actuary to be paid from the surplus funds of the Savings Bank.

Saving of right of the present Actuary to superannuation allowances.

9. The Governor may, from time to time, when he shall see fit, appoint a clerk at a salary of seventy five pounds per annum, to assist the actuary in the performance of his duties, and another clerk for the same purpose, at a salary of fifty pounds per annum. These sums shall be paid monthly from the surplus funds of the Savings Bank and the ex-officio managers are hereby authorized to allow the same in their inspection of the accounts of the Savings Bank.

Appointment and salaries of Clerks in Savings Bank.

10. The ex-officio managers of the Savings Bank may in every half year give to the Actuary and Secretary and to each of the clerks out of the profits of the Bank gained in the then last preceding half year such bonus not exceeding fifty pounds to the Actuary and Secretary, and twelve pounds ten shillings to each of the clerks as the ex-

The giving of a bonus in every half year to the Actuary and Clerks of the Savings Bank out of the profits of the preceding half year authorised

LAWS OF BARBADOS

officio managers may deem fit: provided always that if the whole of the abovenamed sums are not given as bonuses, then the sums given respectively to the Actuary and Secretary and to each of the clerks shall bear the same ratio to each other that the abovenamed sums bear to each other.

Any deficiency in any half year's bonus may be made up in a subsequent half year.

11. If in any half year or half years the ex officio managers owing solely to the profits of the Bank for the preceding half year being insufficient, are unable to give the whole of the above mentioned sums as bonuses, they may in any subsequent half year, if they deem fit to do so and the profits of the Bank for the then last preceding half year admit of it, give to the Actuary and Secretary and to each of the clerks the whole or any part of such sum as with the bonuses previously received by him equals in the case of each individual the total amount which he would up to that date have received if the largest bonus authorised by section ten of this Act had in every preceding half year been paid to him

Date of commencement of two preceding sections.

12. The two preceding sections of this Act shall take effect as if enacted on the first day of January one thousand eight hundred and eighty nine, and the Act of the tenth day of November one thousand eight hundred and eighty eight, entitled, An Act to amend "The Savings Bank Act, 1883," shall be deemed to have been repealed on that date.

Days and hours of business to be fixed by Governor-in-Executive Committee.

13. The bank shall be opened on such days and between such hours as may be named from time to time in any rule to be made as hereinafter mentioned for that purpose by the Governor-in-Executive Committee for the receipts and payment of deposit, and on such occasions the actuary and

SESSION OF 1889-'90.

secretary or person acting as such shall be present, and one of the ordinary managers of the day, to superintend the working of the bank. Actuary to attend on all occasions when bank is open.

14. The actuary and secretary shall give due notice to the ordinary managers of the day on which according to the rotation they ought respectively to be in attendance. Notice to ordinary managers when to attend.

15. The actuary and secretary shall receive all deposits which shall be made by individuals, trustees, treasurers of any charitable institutions, or of any charitable donation or bequest for the maintenance, education, or benefit of the poor, or any friendly society, in any sum not less than one shilling from any one person, under such conditions as are or shall be especially provided for that purpose by the Governor-in-Executive Committee; Provided it shall not be lawful for the said secretary or actuary to receive any sum or sums of money from any individual, trustee, treasurer, friendly or other charitable society, exceeding the sum of three hundred pounds, principal and interest included, nor to pay any interest on the same, when such sum or sums shall hereafter amount to or continue at the said sum of three hundred pounds and upwards. Deposits by individuals, trustees, or treasurers of charitable institutions or bequests.

16. Interest shall be allowed on any complete pound deposited, at the rate of three pounds per cent, per annum, and shall be computed from the first day of the calendar month next following the day on which a complete pound shall have been deposited, or on which deposits of a less amount shall have been made a complete pound up to the last day of the calendar month previous to the day on which money is Limit to amount of deposits.

Interest.

LAWS OF BARBADOS

are withdrawn; no interest shall be calculated under a half-penny.

Repayment of deposit and interest guaranteed by Government.

17. The Colonial Government hereby guarantees to all persons who have deposited or may deposit money in the Savings Bank the repayment, in accordance with the provisions of this Act of all money so deposited, and also the payment in accordance with this Act of the interest on the sums deposited.

Withdrawal of deposits.

18. Deposits not exceeding one pound may be withdrawn on a week's notice: if exceeding one pound and not exceeding five pounds at a month's notice; and exceeding five pounds at three months' notice; Provided always that it shall be lawful for such notice to be dispensed with and the amount forthwith paid in any case in which the manager in attendance when any application is made, shall think proper.

Deposits to be paid into Colonial Bank.

19. It shall be lawful for the managers of the Savings Bank to deposit all moneys received by them in the Colonial Bank in the name of the Savings Bank, such deposits to be drawn out only by checks signed by two of the managers and the actuary; Provided nevertheless that it shall be lawful for the managers to keep in the iron chest of the Savings Bank such sum as they may deem necessary for the ordinary payments.

Checks to be signed by managers and Actuary.

The amount that may be kept at deposit or current account at Colonial Bank.

20. The ex officio managers of the Savings Bank may keep on deposit receipt in the Colonial Bank such sums as they may think fit in addition to any sum kept for the general purposes of the Savings Bank on current account; and all sums not so kept by them on deposit receipt or current account and

SESSION OF 1889-90.

not kept for the ordinary payments shall from time to time be placed by them at interest on such security and in such manner as to them shall seem best with the sanction and approval of the Governor-in-Executive Committee.

Investments of residue with sanction of Governor-in-Executive Committee.

21. At the end of each quarter, the cash in hand and account with the Colonial Bank shall be examined by the Auditor General and a certificate thereof signed by the Auditor General verifying the account, shall be published in the 'Official Gazette', together with a general summary of the business of the Bank for the same period.

Quarterly certificate of Audit to be published.

22. Should any depositor having money in the Savings Bank take no transaction therein for the space of seven years, all interest shall cease on the said deposit.

Interest to cease in certain cases.

23. In case any depositor, or any person for whom, or for whose benefit, any moneys shall have been deposited in the name of a trustee, shall die intestate, leaving a sum of money on deposit, not exceeding twenty-five pounds, exclusive of interest, it shall be lawful for the ex officio managers of the Bank, or for the trustee in whose name any such money may have been deposited, (as the case may be) to pay over such money to the widow, if any, or if there be no widow then to the next of kin of such intestate, or should such next of kin be under age to his or their legally appointed guardian, and the receipt of such widow or next of kin, or guardian, shall be a sufficient discharge for the payment of such moneys.

A deposit not exceeding £25, on death of a depositor or a cestuique trust intestate, shall be paid by the ex officio managers or trustee to the widow or next of kin or their guardian of such intestate.

24. For the purposes of intestacy under the preceding section a search at the Colonial Secretary's Office, and no will or testamentary

What shall be deemed sufficient proof of intestacy under last section.

LAWS OF BARBADOS.

tary paper being found on record there at the day prior to such payment, shall be deemed sufficient.

Disposal of deposit of illegitimate depositor dying intestate.

25. If any depositor being illegitimate die intestate, leaving any person who, but for the illegitimacy of such depositor, or of such depositor and of such person would be entitled to the money due to such deceased depositor, it shall be lawful for the managers of the Bank with the authority in writing of the Attorney General, or person acting as Attorney General of this Island for the time being, to pay the money due to such deceased depositor to the persons who in his opinion would have been entitled to the same according to the Statute of Distributions, as if the said depositor and such person had been legitimate.

Depositor residing abroad.

26. Moneys may be paid to the representative of any depositor residing abroad under a power of attorney, executed in the presence of some recognized public officer of the district where the depositor resides, or proved in the usual way in this Island; such power of attorney to be recorded in the Secretary's office or to be left with the actuary of the Savings Bank.

Power to managers to draw out sums invested and assign securities.

27. The ex-officio managers for the time being of the Bank shall have power to draw out and receive any sums of money which may have been invested for the uses of the Bank, or to assign and transfer any securities for money taken in their names or in the names of their predecessors in office, or in the names of any other persons for the purposes of the Bank; and it shall not be necessary for any ex-officio manager who may have retired from office, or for the personal repre-

SESSION OF 1889-90.

sentative of any such deceased manager, or of such other person as aforesaid, to join in any draft, receipt, assignment or transfer, which may be made by the ex-officio managers for the time being for the purpose of raising money for the uses of the Bank and in all actions suits or other proceedings the ex officio managers for the time being of the Bank shall be described not by name but simply by the term "The Ex Officio Managers of the Barbados Savings Bank," and such actions suits and other proceedings shall not be in any way affected by any change in the persons for the time being constituting the ex officio managers of the Savings Bank, but shall be continued and carried on to completion in all respects as if no such change had occurred.

28. If at any time money shall be required for the purposes of the Bank, before it can be called in and received or raised by transfer of the securities on which the same may be invested, or if from any other cause it becomes necessary for the Colonial Government to fulfil the guarantee given by section seventeen of this Act, the ex officio managers of the Bank shall report the same to the Governor-in-Executive Committee, and the Governor-in-Executive Committee shall, if such money is required for the payment of any deposit or interest thereon in accordance with this Act, authorise the Colonial Treasurer to make advances to the ex officio Managers of such sums of money as may be required for that purpose and the ex officio managers shall deposit with the Colonial Treasurer the securities held by them for such sum or sums of money as together equal the whole amount so advanc-

In certain cases Governor-in-Committee may authorise Treasurer to make advances.

LAWS OF BARBADOS

ed, and such securities shall be and stand charged with the repayment of such advances to the public treasury.

Full description
of depositor's call-
ing.

29. No sum shall be paid or subscribed into the Bank by any person by ticket or number or otherwise without disclosing his name, together with his profession, business, occupation or calling, and residence, to the secretary and actuary or a manager of the Bank, and in the case of sums deposited in his name as trustee for some other person without satisfying the Secretary and Actuary of the existence of such person and stating his or her name, occupation, and residence, of all which due entry shall be made in the books of the Bank.

Signature of de-
positor.

30. Every depositor in the Bank shall on his first deposit sign a book containing the rules and regulations of the Bank, together with a declaration of his consent thereto, which signature shall be attested by the manager.

Deposits to be re-
corded when made;
and pass book given
to depositor.

31. All deposits shall be entered in a book of the Bank at the time when they are made, and the depositor shall receive a book with a corresponding entry therein of his account signed by a manager and by the actuary, which duplicate account book must be produced at the bank whenever any further sum is deposited or any sum withdrawn.

Receipt of Treasur-
er of any Friendly
Society.

32. The receipt or discharge of the treasurer, trustee, or other officer, for the time being of any friendly society, for any money paid according to the requisition of such treasurer, trustee, or other officer apparently authorized to require such payment, shall be a sufficient discharge for the same, and the managers and trustees of the savings bank shall not be responsible for any misapplica-

SESSION OF 1889-'90;

tion of any such money by the person or persons to whom the same shall be so paid, or for any want of authority of the person or persons requiring or receiving such payment.

33. When deposits shall be made by a trustee or trustees on behalf of another person or persons the receipt and receipts of such trustee or trustees or the survivor of them, or the executors or administrators of any sole trustee or surviving trustee, with or without the receipt of the person or persons on whose account such sum of money may have been deposited, shall be a good and valid discharge to the trustees and managers of the savings bank. Receipts for deposits by trustees.

34. Should any trustee die or become insane or imbecile, and probate of his will or letters of administration of his estate and effects in case of death, be not produced to the manager of the bank, or notice in writing of such administration or will, be not given within three months after the death of such trustee or trustees, or should a trustee leave the Island without leaving a legal representative, then the said managers may pay any sum of money deposited by such trustee or trustees, to the person on whose account such sum shall be deposited, on proof of the death or absence as aforesaid from the Island of such trustee, and the identification of the party claiming; and in the case of insanity or imbecility, on proof thereof to the satisfaction of the said managers, in each or either of which cases the receipt of the said claimant shall be a valid discharge to the manager; provided that no payment shall be made to any party claiming before he or she shall attain the age of Disposal of deposit in event of trustee dying. &c.

LAWS OF BARBADOS

fourteen years, but in such cases the interest may be paid to the parent or guardian of such child until it shall have arrived at the said age.

Married woman having deposits before or after marriage.

35. A married woman may be paid any sum of money deposited by her before or after marriage, unless the husband of such married woman shall give to the managers of the bank notice in writing of his marriage and shall require payment to be made to himself; if such notice be given then such money shall be paid to such married woman only on proof that she is entitled to receive it.

Depositor becoming insane or otherwise incapacitated by infirmity.

36. In case any depositor in the bank shall become insane or otherwise incapacitated to act whether from illness or any other cause and the same shall be proved to the satisfaction of the manager in attendance by the certificate of a medical attendant in case of insanity, or by the certificate of a medical attendant or otherwise, in cases of illness or other bodily infirmity, and if the ex officio managers shall be satisfied of the necessity of the case, they may authorize and allow the payment out of the deposits of any such person of such weekly sums for his care, maintenance, medical attendance and otherwise, as they shall think fair and reasonable, and the urgency of the case shall require: all which weekly or other payments shall be made on the receipt of the party to whom such payment shall have been directed to be made by such managers and every such receipt shall be a valid discharge to the bank.

Payments to be made to depositor personally or to

37. Except as hereinbefore provided money deposited in the bank shall not be repaid unless to the depositor personally, or to the

SESSION OF 1889-90.

bearer of a power of attorney, signed by the depositor and witnessed by a manager or by a minister, or churchwarden of the parish wherein the depositor resides according to a form to be obtained at the bank. bearer of a power of attorney.

38. Minors may deposit money in the bank in their own names, and withdraw the same together with any interest that may accrue thereon. Minors.

39. The managers of the bank may refuse to receive deposits, and may return deposits if they see fit. Power to refuse deposit.

40. Interest shall be made up half-yearly to the thirtieth day of June, and the thirty-first day of December in every year, and shall be duly credited to the depositors, and at the end of each year a full and complete statement of the transactions of the bank shall be laid by the ex officio managers before the Governor, Council, and General Assembly of this Island, and published in the 'Official Gazette' Interest to be made up half-yearly and credited.

41. It shall be lawful for the Governor-in-Executive Committee from time to time to make proper rules and regulations for carrying on the business of the bank, and to alter amend or add thereto as to him may seem fit; and the same shall at the end of one month after publication thereof in the 'Official Gazette' be binding on all parties; Provided such rules and regulations be not repugnant to the provisions of this Act. Provided also that the present rules except such as are specially amended by this Act shall continue in force until the new rules shall come into operation. Governor-in-Committee to make rules.
Publication thereof

42. No manager or trustee of the bank shall be liable to make good any deficiency which Liability of managers and trustees.

LAWS OF BARBADOS.

may arise in the funds of the bank, unless it shall happen by his wilful neglect or default ; but the trustees and managers shall be personally responsible and liable for all moneys actually received by them on account of or to and for the use of the bank, and not paid over or disposed of in the manner directed by this Act, and of the rules and regulations to be made in pursuance thereof.

Disputes between bank and depositor may be settled by arbitration.

Arbitrators disagreeing, umpire to be chosen, whose decision shall be final.

43. Any matter in dispute between the bank or any person acting under the same, and any depositor or person claiming under him shall be referred to the arbitration of two persons, one to be chosen by the managers of the bank and the other by the depositor or person claiming under him ; and in case the arbitrators shall not agree, then the matter in dispute shall be referred to some other person to be chosen by the arbitrators as the umpire, and the decision and award of such arbitrators or of such umpire, as the case may be, shall be binding on all parties concerned to all intents and purposes whatsoever.

Governor-in-Committee may establish District Savings Banks.

44. The Governor-in-Executive Committee may from time to time by order in Committee to be published three times in the "Official Gazette," declare that a branch of the Savings Bank shall be opened at any of the Police Magistrates offices, except those situated in Bridgetown, or at such other place or places as the Governor-in-Executive Committee may, from time to time think proper, and on the third publication of such order, a District Savings Bank shall be deemed to be established at the place and under the name mentioned in such order.

SESSION OF 1889-90.

45. The provisions of this Act relating to the principles and methods of conducting the business of the Savings Bank shall, so far as they are not inconsistent with or inapplicable, be deemed and taken to apply to the conduct of the business of the District Savings Banks, established or intended to be established by this Act.

46. For each District Savings Bank there shall be not less than four or more than six managers to be appointed by the Governor, of whom one shall be a Police Magistrate or other officer in the public service, who shall be called the local official manager, and the others shall be called local ordinary managers. The local official manager, or in his unavoidable absence some person deputed in his stead, by writing under the hand of the chairman of the ex-officio managers, shall attend on every day that the District Savings Bank is opened for business, and the local ordinary managers shall attend in rotation, one on each day. For each day's attendance each manager shall receive such sum not exceeding ten shillings, as may from time to time be fixed by the Governor-in-Executive Committee, and all sums so allowed shall be paid from the surplus funds of the Savings Bank.

47. On appointment to his office each local official manager shall enter into a bond to Her Majesty the Queen her heirs and successors, in the sum of one hundred pounds, with two sureties in the sum of fifty pounds each, for the due and faithful discharge of the duties of his office, and for the due and faithful accounting for all moneys which may come to his hands in the performance of his duties.

Local managers
of District Savings
Bank.

Local official
Manager to give
bond with sureties.

LAWS OF BARBADOS

48. The local official manager shall give due notice in writing to the local ordinary manager of the day on which, according to the rotation they ought respectively to be in attendance.

49. The ex-officio managers shall have the general control and direction of the business of the District Savings Banks, and of the respective managers thereof, and they are hereby empowered from time to time to make regulations as they shall think fit for the conduct of the business of the District Savings Banks, and amongst other things as to them shall seem fit to provide for; the regulations shall provide for the following matters;

(1.) The days in each week, and the hours in each such day during which the several District Savings Banks shall be opened for business.

(2.) The conditions under which a depositor in a District Savings Bank may deposit or draw money at the principal Savings Bank, and vice versa.

(3.) The mode of transmitting books, papers, and money between the District Savings Banks and the principal Savings Bank.

(4.) The due inspection of the accounts of the District Savings Banks.

(5.) The safe custody of books, papers, and money of the District Savings Banks.

50. The ex-officio managers may, from time to time, alter, amend, add to, or annul any such regulations, and all regulations whether original or otherwise, shall be submitted to the Governor-in-Executive Committee for approval, and when approved, shall be published three times in the "Official Gazette"

Notice in writing to be given to local ordinary manager of his day of attendance.

Ex Officio Managers of the Savings Bank may make regulations for the government of the district Savings Bank.

Regulations when made to be published in the "Official Gazette"

SESSION OF 1889-'90.

al Gazette," and thereafter shall have the force of law.

51. So far as is practicable, and subject to the directions of the ex-officio Managers, the Actuary and the Auditor General shall perform the like duties in respect of the accounts of the District Savings Banks as are required of them respectively in respect of the Principal Savings Bank, and the quarterly and yearly statements shall be drawn up so as to show the business done at the District Savings Banks.

Duties of the Actuary and the Auditor-General in respect of the District Savings Bank.

Repeal

52. The Acts mentioned in the schedule to this Act annexed are hereby repealed ; provided that this repeal shall not affect ;

1. The past operation of the enactments hereby repealed nor anything done or suffered under the enactments hereby repealed ; or
2. any right, privilege, obligation, or liability acquired, accrued, or incurred under the enactments hereby repealed ; or
3. any penalty, forfeiture, or punishment incurred in respect of any offence committed against the enactments hereby repealed ; or
4. any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid, and any such investigation, legal proceeding and remedy may be carried on as if this Act had not passed ; or
5. any act in which the enactments hereby repealed have been applied, incorporated or referred to.

LAWS OF BARBADOS

SCHEDULE.

Date of Act.	Title of Act.	Extent of Repeal.
13th September 1873	An Act to amend and consolidate the several Acts relating to the Savings Bank of this Island.	The whole Act.
31st August 1880....	An Act to provide for the establishment of branches of the Savings Bank in the rural Districts of this Island	The whole Act.
1st February 1887....	An Act to amend "The Savings Bank (District Branches) Act, 1880."	The whole Act.
6th July 1887	An Act to amend "The Savings Bank Act, 1873"	The whole Act.
6th September 1887	An Act to render valid an irregularity in "The Savings Bank Act, 1873, Amendment Act, 1887."	The whole Act.

SESSION OF 1889-'90,

CAP. L.

(Assented to 6th September, 1890.)

BARBADOS.

An Act to consolidate and amend the Acts of this Island, relating to the auditing and inspection of the public accounts.

BE it enacted by the Governor, Council, and Assembly of this Island, and by the authority of the same as follows :

1. This Act may be cited for all purposes as "The Audit Office Act, 1890."

Short title.

2. (1.) The Auditor General's Department shall consist of the following officers at the respective salaries affixed thereto ;

Officers of the Auditor General's Department and their salaries.

An Auditor General, at £600 per annum.

A Chief Clerk,	at £250	"
A Second Clerk,	at £150	"
A Third Clerk,	at £100	"
A Fourth Clerk,	at £ 75	"
A Fifth Clerk	at £ 60	"
A Messenger,	at £ 20	"

The foregoing salaries shall be paid monthly from the public treasury on the warrant of the Governor-in-Executive Committee.

(2.) The officers of the Auditor General's Department shall, from time to time be appointed by the Governor, and they shall not be engaged or concerned in trade or other business, or in the exercise of any other occupation, calling, or profession or hold any other office or appointment, or be interested in any contract, bargain, or engagement for the public service.

Appointment of the officers of Department.

(3.) The Governor-in-Executive Committee may, from time to time, appoint the hours of attendance of the several officers of the Auditor General's Department ; and may

Governor in Committee may make regulations respecting the Department.

LAWS OF BARBADOS

also, from time to time, make regulations in relation to the performance of the duties of the office.

Officers of the Department to be exempt from services as jurors &c. (4.) No officer of the Auditor General's Department shall be liable to serve on any jury or inquest, or on any appraisement of property.

Office to be provided for the Auditor General's Department. 3. The Auditor General's Department shall be provided with an office free of charge, in the Public Buildings.

Auditor to examine all accounts previous to payment and to see that they have been legally sanctioned. 4. It shall be the duty of the Auditor General to examine and ascertain the accuracy and correctness of all accounts and charges against the public before the same shall be presented for payment: And the better to enable him to perform this duty he shall be furnished with copies of all Acts and Resolutions passed by the Legislature for grants of money to be expended for the public service; and also with copies of all contracts entered into for the performance of any public work or undertaking, and for the supply of materials or other things required for the public service; and he shall see that the expenditure under such Acts, Resolutions, or contracts is not suffered to be in excess of the sums therein mentioned until legal provision be made in relation thereto.

All parties having claims against the public to deliver their accounts to the Auditor, who is to examine and certify them. 5. All persons having claims against the public for work or services, except in case of salaries, and allowances of the nature of salaries specially provided for by statute, or for materials or supplies of what kind soever, shall make out fair and particular accounts thereof and deliver the same with all necessary vouchers to the Auditor General for examination, whose duty it shall be to see that all such as come within contracts are in strict agreement with the

SESSION OF 1889-'90,

terms of such contracts, and that the charges in respect of all others are reasonable and proper; and when any such account shall have been examined and found correct, or such proper alterations and corrections made therein as shall be requisite, shall be certified by the Auditor General for payment.

6. It shall not be lawful for the Executive Committee to pass any accounts for payment unless such accounts shall have first been examined by the Auditor General, and his certificate and signature affixed thereto in proof of the correctness of the same. Executive Committee not to pass any accounts unless certified by the Auditor.

7. All licenses issued by the Treasurer after the passing of this Act, and for which money is required by law to be taken, shall be made out on checked forms; and in issuing every such license, the check shall be filled in with the number of the license, in proper serial order, the date of issue, the name of the person to whom issued, with the parish or town in which he or she resides, and the amount paid for such license, and shall be signed by the Treasurer; and every person to whom any such license shall be issued shall be instructed to take, and shall take the same with the check attached, to the office of the Auditor General, who shall detach, or cause to be detached, the check from such license, and file the same in his office; and no such license shall be of any force or validity until the requirements herein shall have been complied with, and any person presuming to act in contravention thereof shall be dealt with as altogether unlicensed. Forms to be observed in the issue of licenses.

8. Within fourteen days after the expiration of every month, the Treasurer shall make up and send in to the Auditor Provision for the Audit of the Treasurer's accounts.

LAWS OF BARBADOS

General a fair statement of his accounts, for the month with all necessary vouchers for expenditure; and the Auditor General shall have free access to the books of the Treasurer, and to all documents and papers in his possession, in connection with or relating to such accounts, and also to the books, documents and papers of the Customs, and may call for and inspect the same or any of them, as he shall see fit, in order to test the accuracy of such accounts; and so soon as such accounts shall have been duly and satisfactorily settled with the Treasurer, the Auditor General shall certify the same under his hand, and he shall prepare a proper quarterly abstract of all such accounts to be certified by him and laid before the Legislature, with his report thereon.

Auditor General to Audit the accounts of every officer or department required to submit his accounts for audit.

9. It shall be the duty of the Auditor General to audit the accounts of every public officer or department who or which is by law or by order of the Governor-in-Executive Committee required to submit such account to audit, and it shall be lawful for the Governor-in-Executive Committee from time to time to issue such orders and instructions to the Auditor General as shall seem to him to be necessary for his guidance and direction in the examination and settlement of the accounts of the several public officers of the Island, being public accountants, and it shall be the duty of the clerk of the Executive Committee to lay a copy of all such orders and instructions before the House of Assembly at or before its second meeting after the issuing thereof; and when any such order and instruction shall relate to or affect any public officer

SESSION OF 1889-90.

or department, such public officer or department shall yield obedience thereto.

10. All accounts, documents and papers coming into the hands of the Auditor General under the provisions of this Act, with the proper books and papers of his office, shall be public property, and on the death, resignation or removal of that officer shall be delivered forthwith to his successor or to such other person as the Governor may appoint to receive the same. The Auditor's papers to be public documents.

11. This Act shall be subject to the provisions of "The Colonial Secretary's Office Act, 1890," relating to the amalgamation of the offices of the Colonial Secretary and Auditor General.

Repeal.

12. The Acts mentioned in the schedule to this Act annexed are hereby repealed; Repeal and Savings. providing that such repeal shall not affect;

1. The past operation of the enactments hereby repealed nor any thing done or suffered under the enactments hereby repealed; or
2. any right, privilege, obligation or liability acquired, accrued, or incurred under the enactments hereby repealed; or
3. any penalty, forfeiture, or punishment incurred in respect of any offence committed against the enactments hereby repealed; or
4. any investigation, legal proceeding or remedy in respect of such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid, and any such investigation, legal proceeding and remedy may be carried on as if this Act had not passed; or

LAWS OF BARBADOS. .

5. any enactment in which such enactment has been applied, incorporated or referred to.

Suspending clause.

13. This Act shall not come into operation unless and until the Officer administering the Government shall notify by proclamation that it is Her Majesty's Pleasure not to disallow the same, and thereafter it shall come into operation upon such day as the Officer administering the Government shall notify by the same or any other proclamation.

SESSION OF 1889-90.

SCHEDULE.

Date of Act.	Title of Act.	Extent of Repeal.
4th December 1855	An Act for the better auditing and inspecting the Public Accounts of this Island....	The whole Act.
28th August 1871	An Act to amend the first section of the Act of 4th December 1855, entitled, "An Act for the better auditing and inspecting of the Public Accounts of this Island," so far as the same relates to office rent and clerical assistance.....	
29th November 1880	An Act to provide for the better organization of the Auditor General's office...	The whole Act.

LAWS OF BARBADOS

CAP. LI

(Assented to 8th September, 1890.)

BARBADOS.

An Act to regulate the appointment and duties of land surveyors and the issue of warrants to survey land in this Island.

BE it enacted by the Governor, Council, and Assembly of this Island, and by the authority of the same, as follows ;

Short title.

1. This Act may be cited for all purposes as "The Surveyors (Land) Act, 1890."

Governor may license persons as land surveyors.

2. It shall be lawful for the Governor from time to time to issue licenses to persons qualified to act as land surveyors in this Island.

No person to be licensed unless he produces a testimonial of good character and proves his competency.

3. No person shall be eligible for the appointment of a land surveyor, unless he shall produce sufficient testimonials of good character, and shall also prove his competency for performing the duties of the office in the manner prescribed in any regulations in that behalf to be made as hereinafter provided; provided nevertheless that all persons holding office as land surveyors prior to the passing of this Act, shall continue to perform the duties thereof respectively, and be exempted from the test of competency, but in all other respects shall be subject to the provisions of this Act; but nothing herein contained shall be so construed as to preclude any such surveyors from claiming to be subjected to such test as is provided for in this Act: provided always that any member of the Institute of Civil Engineers in England or the Surveyors Institute, or the corps of Royal Engineers may act as Land Surveyors without being subject to the provisions of this section.

Proviso as to surveyors now existing.

And as to members of certain Institutes &c.,

SESSION OF 1889-'90.

4. In case any complaint in writing shall be made against any surveyor of neglect of duty or improper conduct, the Governor shall cause such complaint to be investigated, and if he shall be satisfied on the evidence that such complaint is well founded he may cancel the license issued to such surveyor. License may be cancelled for improper conduct.

5. (1.) Subject to the provisions of this Act, the Governor-in-Executive Committee may from time to time make regulations with respect to ; Governor-in-Executive Committee may make regulations as to

(a) The tests to be employed to prove the competency of any person to perform the duties of a land surveyor before being appointed to the office ; provided always that such tests shall include the actual surveying of some lands and surfaces, the manipulation of surveyors instruments and such other practical tests of efficiency as may by the examiner or examiners be deemed desirable ; and The tests of competency to be used.

(b) All other matters relating to the efficient carrying out of the provisions of this Act ; provided that no candidate for a license as a surveyor shall be required to pay a greater fee than two guineas for his examination ; but if he fail to pass the examination at any time he shall still be liable to pay the fee on the examination in which he failed. Any expense for examination beyond the two guineas paid by the candidate not exceeding ten guineas for each examination shall be paid out of the public treasury on the order of the Governor-in-Executive Committee. All other matters under this Act.
Proviso as to fees payable by candidates for examination.

(2.) Any regulations may be altered amended or annulled by a subsequent regulation. All such regulations, original or Amendment and annulment of regulations.

LAWS OF BARBADOS

otherwise, shall be published in the Official Gazette and thereafter shall have the force of law.

List of persons qualified to act as land surveyors to be prepared and kept.

6. Immediately on the passing of this Act, the Chief Clerk of the Record Branch of the Colonial Secretary's Office, shall prepare a list of all persons then entitled to, practise as Land Surveyors in this Island, according to the dates upon which they respectively were admitted to practise. The list when prepared shall be entered in a suitable book of record to be kept in his office and to be called the Land Surveyors' rolls. The name of every Land Surveyor thereafter admitted shall be at once entered by the Chief Clerk of the Record Branch of the Colonial Secretary's Office in the said rolls, together with the date of his admission; and the names of all persons claiming to act as Land Surveyors as being members of the Institute of Civil Engineers, or of the Surveyors Institute or of the Corps of Royal Engineers, shall be added thereto on their producing certificates that they belong to either of those Institutes or to that Corps.

All Land Surveyors desiring to practise to register their names every year and obtain a certificate of registration.

7. (1) From and after the passing of this Act every person who shall be duly qualified to practise as a Land Surveyor in this Island and shall desire to do so, shall in the month of January in every year cause his name to be entered by the Chief Clerk of the Record Branch of the Colonial Secretary's Office in the Land Surveyor's rolls, and shall obtain from such Chief Clerk a certificate of such registration on payment of a fee of ten shillings; provided always that if any such person shall desire to have his name registered after the month of January shall have elapsed, he shall pay a

SESSION OF 1889-'90.

fee of twenty shillings for such entry and the certificate thereof; provided also that if any such person shall allow an interval of two years to elapse from the time his name was last registered, he shall pay a fee of three pounds. and if an interval of five years shall have been allowed to elapse, such person shall not then be entitled to registration except by special permission of the Governor and on payment of a fee of five pounds.

(2) In case the registrar shall refuse to make the entry or to issue the certificate as aforesaid the person aggrieved by such refusal or his attorney or agent may make application to the Chief Justice in chambers who shall make such order as may be just, and may also direct the costs of such application to be borne and paid by either party.

Appeal from the Registrar to the Chief Justice.

8. No person shall under a penalty not exceeding fifty pounds to be recovered in a summary manner before a Police Magistrate on the complaint of any person and paid into the public treasury practise or conduct any business whatsoever as a Land Surveyor in any year unless such person shall have first registered his name and taken out such certificate as required by this Act; provided that every person who shall have been so registered and shall have obtained such certificate in any year shall be entitled to practise during the said year and also during the month of January in the ensuing year.

Penalty for practising as a Land Surveyor without obtaining a certificate of registration.

9. If any person who is now a qualified surveyor, or licensed as a surveyor under this Act, shall fraudulently return a false survey of any property surveyed by him, such surveyor shall in addition to the withdrawal

Penalty for fraudulently returning a false survey of any property.

LAWS OF BARBADOS

of his license, be liable on conviction thereof before a Police Magistrate to a penalty not exceeding twenty five pounds, or in default of payment to imprisonment with or without hard labour for any period not exceeding four months.

Persons having occasion to survey or lay out lands or houses may claim a warrant from the Governor directed to such sworn surveyor as he shall think fit. The Colonial Secretary required to direct all warrants accordingly on payment of a fee of 5/- into the public treasury.

10. All persons who shall have occasion to survey or lay out any lands or houses, may as of right, claim from the Governor a warrant for that purpose to be directed to any present qualified surveyor, or any such licensed surveyor as aforesaid, as the person so requiring the same shall think fit to nominate. All such warrants shall be given out and directed by the Colonial Secretary of this Island, and for each such warrant he shall be entitled to demand a fee of five shillings to be paid into the public treasury for the use of the Island.

Notice of intended survey of land shall be given 5 days before any survey can be made.

11. (1.) Upon any such warrant as is provided for in this Act being addressed to a present qualified surveyor or licensed surveyor as aforesaid, such surveyor shall in no event enter for the purpose of surveying any lands or premises, not in the actual possession of the person who may employ him to make a survey, until five clear days after a written or printed notice, as hereinafter is mentioned, of his intention to do so, shall have been served upon some person residing on or in possession of the lands or premises intended to be surveyed; and until after a similar notice shall have been so served as aforesaid upon some person residing on or in possession of any lands or premises immediately contiguous to or abutting upon any such lands intended to be surveyed.

(2.) After such notices shall have been so served as aforesaid the surveyor shall be

SESSION OF 1889'90.

authorised and empowered to enter upon such lands or premises for the purpose of surveying the same, and also to enter upon any said lands or premises immediately contiguous thereto or abutting thereon, so far as it may be necessary to make such entry in order to settle the boundaries of such lands and premises intended to be surveyed.

12. Any notice required to be served under the last preceding section of this Act shall be in the form in schedule A or B, (as the case may require) to this Act, and the same may be given by personal service thereof upon the person entitled to receive the same or by leaving the same at the residence of such person (if any) situate upon the land intended to be entered upon for the purpose of a survey or contiguous thereto, (as the case may be,) or by sending such notice through the post in a prepaid letter addressed to such person at such residence, if any, situate as aforesaid. Modes of serving notices.

13. When any notice as specified in the last preceding section of this Act shall have been sent by post, it shall be deemed to have been received at the time when the letter containing the same would be delivered in the ordinary course of post. To prove the receipt of such notice, it shall be sufficient to prove that the letter containing the notice was properly addressed and put into the post. Notice if sent by Post shall be deemed to have been received.

14. If any surveyor shall enter upon any lands or premises contrary to the provisions of this Act, he shall be liable for any such entry to a fine not exceeding ten pounds, to be recovered in a summary manner on complaint by any person or persons aggrieved, Penalty on Surveyor for breach of the provisions of the Act.

15. The Acts specified in the Schedule C
Repeal and Savings. to this Act are hereby repealed; provided
ings. that this repeal shall not effect.

- (1) any thing duly done or suffered under the said Acts or either of them; or
- (2) any right acquired or any penalty incurred under either of the said Acts.

SCHEDULE A.

Take notice. I do hereby notify to you that on the _____ day of _____ 18____ between the hours of _____ and _____ it is my intention to enter the land (or premises) situate in the parish of _____ and on which you are now residing (or in the occupation of) for the purpose of making a survey, in virtue of a warrant dated the _____ day of _____ 18____, and issued under the provisions of "The Surveyor's (Land) Act, 1890."

Dated this day of 18
To | C. D.

A. B.	Land Surveyor.
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SESSION OF 1889'90.

SCHEDULE B.

Take notice. I do hereby notify to you
that on the day of

18 between the hours of
and it is my intention to enter
certain lands and premises immediately contiguous to (or butting on) certain land and
premises situate in the parish of

, on which contiguous or abutting lands you are now residing
(or in possession of) for the purpose of
making a survey in virtue of a warrant
dated the day of

18 , and issued under the
provisions of "The Surveyor's (Land) Act,
1890."

Dated this day of 18 ,

To | C. D.

A. B. | Land Surveyor.

LAWS OF BARBADOS

SCHEDULE C.

Date of Act.	Title of Act.	Extent of Repeal.
6th February 1735	An Act concerning the survey of land in this Island.....	The whole Act.
27th June 1878	An Act to amend the Act entitled, "An Act concerning the survey of land in this Island..."	The whole Act.

SESSION OF 1889-90.

CAP. LII.

(Assented to 11th October 1890.)

BARBADOS.

An Act to authorise the payment to the Barbados Water Supply Company, Limited, of a proportionate part of their subsidy on their bringing into operation certain of their standpipes, and to extend the time granted to the Company to complete their works.

WHEREAS by "The Water Supply Act, 1886," the Barbados Water Supply Company, Limited, are required to fix and keep charged with water four hundred standpipes on their pipes in the rural parts of the Island within the limits prescribed by the plan of their works at such places as may be decided on by the Executive Committee to be most proper and convenient, and by the said Act the Legislature of the Island guaranteed to the said Company a fixed sum of five thousand pounds to be paid annually as soon as the works of the said Company were completed and so long as the full supply of water provided by the said Act should be furnished, in four quarterly instalments of one thousand two hundred and fifty pounds each ; And Whereas the Company allege that their works are now sufficiently advanced to enable them at once to fix and keep charged with water fifty standpipes on their pipes in certain rural parts of the Island and as their said works progress they will be in a position from time to time to fix and keep charged with water additional standpipes in the said rural parts of the Island until the full number of four hundred standpipes requir-

LAWS OF BARBADOS.

ed by the said Act shall be completed ; And Whereas instead of waiting until all the standpipes shall be fixed and the works of the Company completed and brought into full operation it is expedient that the Company should at once fix and charge with water the fifty standpipes which they are now in a position to erect, and that they should be paid a proportionate part of the said subsidy of five thousand pounds for such fifty standpipes in quarterly instalments, such payment to be calculated from the day the said fifty standpipes shall be brought into operation and that the Company shall also be paid a proportionate part of the said annual subsidy for every additional number of fifty standpipes which may be fixed and charged with water by them at any one time as their works progress, such payment to be calculated from the day on which each lot of fifty standpipes shall be brought into operation ; And Whereas it is deemed expedient to extend the time granted to the Company for completing their works ; Be it therefore enacted by the Governor, Council, and Assembly of this Island, and by the authority of the same, as follows ;

Short title.

1. This Act may be cited as " The Water Supply Company Act, 1886, Amendment Act, 1890."

A proportionate part of the annual subsidy to be paid to the Company as soon as they have fixed 50 standpipes.

2. As soon as the Company shall fix fifty standpipes on their pipes in the rural parts of the Island within the limits of the plan of their works at places which shall have been decided on by the Executive Committee to be most proper and convenient and shall supply the same with water for the use of the inhabitants of the rural parts of the Island in

SESSION OF 1889'90.

accordance with the provisions of the Water Supply Act, 1886, then so long as the full supply of water required by this Act shall be supplied to each of the said fifty standpipes the said Company shall be paid in four equal quarterly instalments an annual sum made up of the sums paid for each standpipe; the sum of nine pounds seven shillings and six pence being paid for each standpipe which is not more than two hundred and fifty feet above the sea level; the sum of twelve pounds ten shillings for each standpipe which is more than two hundred and fifty feet but not more than five hundred feet above sea level; and the sum of fifteen pounds twelve shillings and six pence for each standpipe which is more than five hundred feet above the sea level; and the said quarterly instalment, shall be paid on the warrant of the Governor-in-Executive Committee, and the payment thereof is to be calculated from the day the said fifty standpipes shall be brought into full operation.

3. For every additional lot of fifty standpipes which the Company shall as their works progress fix and keep supplied with water in accordance with the provisions of the Water Supply Act, 1886, and of this Act the Company shall be paid in four equal quarterly instalments, an annual sum made up of the several sums to be paid for each of the fifty standpipes calculated in accordance with the last preceding section of this Act, and the said quarterly instalments are to be paid on the warrant of the Governor-in-Executive Committee, and the payment thereof is to be calculated from the day and for every additional 50, an additional part of the subsidy calculated on the foregoing basis to be paid.

LAWS OF BARBADOS.

each lot of fifty standpipes shall be brought into full operation.

Every such stand pipe to yield not less than 5,000 gallons per day.

4, Every standpipe for which a proportionate part of the said subsidy of five thousand pounds may be paid under this Act shall be supplied with water in such quantity as to yield between the hours of five o'clock in the morning and seven o'clock at night not less than five thousand gallons; and shall also be subject to all the regulations conditions penalties and provisions contained in the Water Supply Act, 1886, in respect of the whole number of four hundred standpipes to be erected and fixed under the last mentioned Act as if such whole number had been erected and fixed and they formed part of the same.

The yield of every such stand pipe may be tested and the sum payable therefor stopped if the yield be deficient.

5, The Superintendent of Public Works, any Sergeant of Police or any person authorised by the Governor-in-Executive Committee or any member of a Board of Poor Law Guardians may at any time between the hours of five of the clock in the morning and seven of the clock at night, with or without notice to the Company, test by such means as he deems best the yield of any standpipe in respect of which any sum is payable under this Act, and if, on any such test being applied, the supply of water is found to be less than that required by this Act the person testing the same shall at once, report the fact and all the particulars to the Governor-in-Executive Committee and the sum payable in respect of such standpipe shall from the date of the test cease until the Governor-in-Executive Committee is satisfied that the quantity of water required by this Act is being given by such standpipe.

SESSION OF 1889-90.

6. Nothing in this Act contained shall be construed or taken to release the Company from their obligation to complete their works and bring them into full operation within the period prescribed by the Water Supply Act, 1886, Amendment Act, 1889, or any other period which may be prescribed by the Legislature, and in the event of the Company failing to complete their works and bring them into full operation within the period prescribed or which may be prescribed as aforesaid the payment to the Company of any proportionate part or proportionate parts of the said subsidy which may be paid to them pursuant to the provisions of this Act shall cease and determine.

Act not to release the Company from the obligation of completing their works within the prescribed period.

7. The time fixed for the completion of the works of the said Company is hereby extended from the thirty first day of December one thousand eight hundred and ninety to the thirty first day of December one thousand eight hundred and ninety one.

Time for completion extended to 31st December 1891.

8. The penalty mentioned in section one hundred and eleven of "The Water Supply Act, 1886," shall be recoverable in a summary manner, on the complaint of any ratepayer of the parish wherein the offence is committed, and the sum to be forfeited to the Vestry mentioned in the said section shall be recoverable on the complaint of the Churchwarden in a summary manner before the Police Magistrate of the District in which the standpipe complained of is situated; provided that where complaint is made that the Company have neglected or refused to furnish a sufficient supply of water under the said section it shall only be necessary to prove in respect of any particular standpipe that

Mode of recovering penalty mentioned in section 111 of the principal Act.

LAWS OF BARBADOS

the water supplied by that standpipe between the hours of five o'clock in the morning and seven o'clock at night is less than five thousand gallons.

CAP. LIII.

(Assented to 11th October 1890)

BARBADOS

An Act to consolidate and amend the Acts of this Island relating to the General Hospital.

BE it enacted by the Governor, Council, and Assembly of this Island, and by the authority of the same, as follows ;

Short title.

1. This Act may be cited as "The Barbados General Hospital Act, 1890."

Trustees and Directors declared.

2. (1.) The Governor of this Island, the President of the Legislative Council, the Lord Bishop of the Diocese, the Speaker of the House of Assembly, the Attorney General and the Solicitor General for the time being, three members of the Legislative Council to be appointed by the President of the Council, seven members of the House of Assembly to be appointed by the Speaker, the Reverend Thomas Clarke, Thomas Bowen, Doctor of Medicine, Edwin Thomas Racker, and Joshua Baeza, shall and are hereby declared to be Trustees and Directors of the Barbados General Hospital.

The President and the Speaker to appoint, when necessary, members of their respective Legislative bodies to be Directors.

(2.) The President of the Legislative Council, and the Speaker of the House of Assembly, shall fill up from time to time all vacancies that may happen by death, or otherwise, amongst the said directors to be appointed under the authority of this Act; and notwithstanding the expiration, disso-

SESSION OF 1889-'90.

lution, or prorogation of the General Assembly, the directors appointed from that body shall during such expiration, dissolution, or prorogation of the said General Assembly, continue to have and exercise the same powers and authorities without any re-appointment; but should any of them cease to be members of the General Assembly, they shall from thenceforth cease to be directors of the said society.

3. The trustees and directors, shall be, and they are hereby declared and adjudged to be one body corporate and politic, in deed, name, and in law, by the name of "The Barbados General Hospital." and by the same name they shall have perpetual succession, and shall and may use a common seal for the business and affairs of the said hospital, with power to change, alter, break, and make new the same, when, and so often as they shall judge the same to be expedient, and they and their successors, by the same name, may sue and be sued, implead and be impleaded, answer and be answered unto, defend and be defended, in all or any Court or Courts of Record, and places of judicature, and before any Judge, Justices, or Officers within this Island, in all and singular actions, pleas, suits, complaints, matters, and demands of what kind or quality soever they shall be, and may act and do in all matters and things relating to themselves and their corporate property, real and personal, in as ample a manner and form, and as fully and effectually as any other of Her Majesty's subjects lawfully may or can, and they and their successors, by the name aforesaid, shall be able and capable in law, to have, hold, receive, enjoy, possess, and retain for

Trustees and Directors incorporated under the name of "The Barbados General Hospital."

May sue and be sued &c.

May hold personal and real property to any amount.

LAWS OF BARBADOS

the ends and purposes of this Act, all such goods, chattels, and effects, sum and sums of money, and securities for money, as have been given or bequeathed, or have been by them purchased or accumulated, or which shall at any time or times hereafter be paid, given, or bequeathed by any charitable or well-disposed person or persons, or which shall be purchased or accumulated by them of what nature, value, or amount soever and they and their successors by the name aforesaid, shall and may for ever hereafter be persons able and capable in the law, to purchase, have, take, hold, receive and enjoy to them and their successors, messuages, lands, rents, tenements, annuities, and hereditaments of what nature or kind soever in fee, and in perpetuity or for terms of lives or years, in all issues beyond reprises, for the better carrying on the charitable end and designs of the said trustees and directors, and for the investment of the capital and funds for the time being of the said trustees and directors, and that all lands, tenements or hereditaments already purchased in the names of the trustees of the said hospital shall be, and the same are hereby declared to be vested in the corporation as fully as if the same had been purchased by such corporation; and the said corporation shall have full power to sell, grant, demise, exchange and dispose of any of the same messuages, lands, rents, tenements and hereditaments whereof or wherein they shall have any estate or interest as aforesaid.

Lands &c., already purchased declared to be vested in the corporation with power to sell &c.

Trustees and Directors may take by gift demise &c., lands &c.

4. It shall and may be lawful for any person or persons, bodies politic or corporate, their heirs and successors respectively

SESSION OF 1889-90.

to give, grant, sell alien, assign, devise bequeath, or dispose of in mortmain, in perpetuity or otherwise; to or for the use and benefit of or in trust for the said trustees and directors and their successors, any messuages, lands, tenements, rents, annuities, and hereditaments whatsoever above all charges and reprises, and any sum or sums of money to any amount, and any goods and chattels of whatsoever value for the charitable purposes of the said trustees and directors, all which gifts, grants, conveyances, assignments, bequests, and dispositions, the said trustees and directors are hereby authorized and enabled to receive accept, and hold.

5. (1) An annual grant of six thousand pounds shall be made from the public treasury towards the support of the hospital, payable quarterly in advance to the said trustees and directors, on the warrant of the Governor-in-Executive Committee and the said trustees and directors shall lay before the Legislature quarterly statements of the expenditure of the said sum of six thousand pounds. Grant of £6,000 a year towards support of Hospital.

(2) Any portion of the annual legislative grant that may be unexpended at the end of any year shall be placed by the Colonial Treasurer to the credit of the Trustees and Directors of the Barbados General Hospital, and may be by them, at any time, expended in extending the limits of the General Hospital, or in building, or for any purpose connected with the Hospital. Unexpended portion of annual grant to be placed to the credit of the corporation.

LAWS OF BARBADOS

Salary of resident surgeon fixed at £300 a year.

Grant of £300 a year to remunerate 3 medical men.

Grant of £30 a year for services of chaplain.

Accounts to be examined and certified by the Auditor General before payment.

General Courts composed of 5 or more of the Directors.

House Committee

6. An annual sum of three hundred pounds, to be paid from the public treasury, shall be placed at the disposal of the trustees and directors of the hospital, to remunerate the services of a resident surgeon, which shall be paid monthly, on the warrant of the Governor-in-Executive Committee.

7. An annual sum of three hundred pounds to be paid monthly from the public treasury on the warrant of the Governor-in-Executive Committee shall be placed at the disposal of the trustees and directors to remunerate the services of three medical men.

8. An annual sum of thirty pounds, to be paid monthly from the public treasury, on the warrant of the Governor-in-Executive Committee, shall be placed at the disposal of the said trustees and directors to remunerate the services of a chaplain.

9. All orders drawn on the Treasurer for payment of accounts shall be drawn on the accounts after they are certified by the Auditor General and receipts taken on the said accounts, and no accounts shall be certified and passed for payment unless such accounts shall have first been examined by the Auditor General and his certificate and signature affixed thereto in proof of the correctness of the same.

10. Any five or more of the trustees and directors of the said corporation shall compose a general Court. And the said trustees and directors or any Court of them shall at the first annual meeting in each year nominate and appoint a House Committee to conduct the general internal arrangement of the hospital according to

SESSION OF 1889'90.

the regulations made and to be made by the trustees and directors, and to examine, audit, and prepare for the inspection of the trustees, all the accounts and expenses of the establishment. A general Court shall be held four times at least in every year, that is to say, on the first Thursday in February, on the first Thursday in May, on the first Thursday in August, and on the first Thursday in November; and the members of the said corporation assembled at any such general Court as aforesaid, or at any general special Court to be held as aftermentioned, or the major part of them so assembled (but the members so assembled not to consist of less than five directors,) shall have full power and authority in the name of the said corporation, and on their account, to apply and dispose of the moneys, goods and effects already given and accumulated, and which shall from time to time be contributed or given by any person or persons on account of the said charity, and of all moneys and effects belonging or to belong to the said hereby created corporation, to and for the purposes aforesaid, and to and for, or in any other purpose, way, matter or thing relating to the said hospital, and for the benefit thereof at their discretion, and to purchase or agree to purchase, or to take upon lease, or to sell or agree to sell, or let lands, tenements or hereditaments, and to direct the investment of money, or the sale or change of securities, and the general disposition and management of the property of the said corporation, and with, and under their common seal to enter into any covenants and contracts for the purposes afore-

General Courts to be held four times a year.

Power of General Courts.

LAWS OF BARBADOS

Consent of trustees necessary in buying selling or leasing land &c.

said, or for any other purpose or purposes for the better effecting and carrying on the charitable uses and designs aforesaid, and to do, manage and transact, and determine all such other matters and things as shall to them appear necessary and convenient for the effecting or carrying on the purposes aforesaid, and shall and may delegate such powers and authorities to the Committee or Committees for the time being, and place at their disposal such sum or sums of money as they shall think necessary for the more speedy and effectual execution of this Act, and the charitable designs of the said hospital. Provided always nevertheless, that no lands, tenements, or hereditaments, shall be purchased or leased, or agreed to be purchased or leased, nor shall any lands, tenements or hereditaments be sold or let or agreed to be sold or let, nor shall money belonging to the said Institution, be invested, nor shall any securities belonging to the said Institution be changed or sold without the consent in writing of the major part of the trustees and directors residing in this Island at the time of every such purchase, lease, sale, or letting of any such lands, tenements or hereditaments, or investment of any money or change or sale of any such securities as aforesaid.

Bye laws &c., when to be made.

11. It shall be lawful for the said corporation in general quarterly, adjourned general or special Court assembled only, or the major part of them so assembled, to consist of not less than five directors to order and dispose of the custody of their common seal and the use and application thereof, and to make, ordain, and constitute such and so many bye-laws, constitutions

SESSION OF 1889-'90.

and ordinances, for the government of the officers and servants of the said corporation, and of the patients for the time being under their care, and for the transaction of the business of the said hospital, as the members present at any such general Court (not less than five being directors being present), or to the greatest part of them, shall seem necessary and convenient; and the same bye-laws, constitutions and ordinances so as aforesaid made, shall be duly kept and observed, provided the same be reasonable and not contrary or repugnant to the laws of this Island, or to the laws or statutes of Great Britain and Ireland in force in this Island.

12. The trustees and directors or any Court of them shall have power and authority, and they are hereby authorized and empowered from time to time to appoint sub-committees, each sub-committee to consist of three or more directors, and to invest such sub-committees with such delegated powers, and limited by such instructions, as to the said directors or any Court of them shall seem meet, for the transaction of and inquiry into any of the affairs and business of the said corporation, which it shall from time to time be the duty of the directors to transact and superintend.

Sub-committees may be appointed by a Court of Directors.

13. The trustees and directors or any Court of them, shall, from time to time, and at all times as occasion shall require, have power, and they are hereby directed from time to time to appoint a treasurer, auditor or auditors, chaplain, physician, surgeons, apothecaries, solicitors, secretaries, collectors, or other superior officers, as shall be necessary for the transaction of any of

Court of Directors to appoint officers.

LAWS OF BARBADOS

- the affairs and business of the said corporation, for so long and upon such conditions, and with such salary, emoluments, and perquisites, to be paid and allowed out of the funds and effects of the said hospital as to the said trustees and directors or any Court of them, for the time being shall seem meet, all of which salaries and emoluments the treasurer of the said hospital is hereby required, from time to time, to pay and allow out of the funds and effects of the said hospital: but all or any of such officers may be, from time to time, removed by the trustees and directors or any Court of them, by whom all vacancies may be filled up; and the appointment and removal at pleasure, of all or so many inferior officers and servants of the said corporation, as shall be required, shall from time to time be made by the House Committee, for the time being, with such salary and wages as the majority of the members composing the House Committee shall think right; all which salary and wages the treasurer for the time being shall pay and make good out of the funds and effects of the said hospital, on a certificate that such salary and wages are due, signed in such manner as the rules, orders and bye-laws of the hospital may direct.
- And fix salaries &c.,** 14. Until otherwise directed by any rule, order, or bye-laws to be made as aforesaid, it shall and may be lawful to and for the treasurer for the time being of the said corporation, and he is hereby authorized and required from time to time, to place to the credit of the said hospital, in one or more of the banks of this Island, all or any sum or sums of money as hath or have
- May remove officers &c.,**
- House Committee to appoint and remove inferior officers.**
- Treasurer to place moneys in the banks.**

SESSION OF 1889-90.

been given, devised and bequeathed, or shall at any time or times hereafter, be paid, given, devised or bequeathed by any charitable or well-disposed person or persons, to and for the charitable ends, intents, and purposes of the said hospital, or any moneys received on account of the said hospital.

15. The moneys arising from any sale or sales, or so much thereof as shall not be again laid out and invested in the purchase of some other lands, tenements, or hereditaments, or some other stocks, funds, or securities, and also all dividends interests and annual proceeds, which shall from time to time arise from such funds, shall from time to time be applied to and for the charitable use of the society.

Moneys to be applied for charitable purposes of the Society.

16. All questions upon the proceedings of the said corporation at any meeting of the directors, shall be decided by vote, and in case of any equality of votes, the chairman of the meeting shall have the casting vote, but otherwise he is not to vote, but no question shall be decided without the presence of five trustees and directors.

Questions to be decided by vote.

17. All and every officer or servant of the said corporation, shall from time to time, when thereunto required by any three or more directors, make and render to the directors, or any Court of them, a true, exact, and perfect account in writing, under his or her hand, or their respective hands, upon oath, to be taken before two or more directors, which oath any two or more of the directors, are hereby empowered to administer, of all moneys, stores, and effects, which he, she, or they, and every of them respectively, shall to that time have received,

Officers of the corporation may be compelled to render accounts on oath.

LAWS OF BARBADOS

paid, dispersed, or been entrusted with by virtue of this Act, or by reason of their respective offices; and in case any money or effects, the property of the said corporation shall remain in their or any of their hands, the same shall be paid or handed over to the trustees and directors, or any five or more of them, or to such person or persons as the trustees and directors, or any Court of them, shall appoint to receive the same; and in case any such officer or other person shall not make and render or shall refuse to verify upon oath or affirmation, any such account, or to make such payment or delivery as aforesaid, then any Police Magistrate of the parish of Saint Michael, shall and may upon complaint to him or them, make inquiry of and concerning such default in a summary way, as well by confession of the parties themselves as by the testimony of one or more credible witnesses or witness, upon oath (which oath the said Police Magistrate is hereby empowered and required to administer); and if such officer or person shall be convicted of any such offence, such Police Magistrate, shall upon such conviction commit the party so offending to prison, there to remain without bail or mainprize, until he or she shall have made a true and perfect account and payment as aforesaid, or until he or she shall have compounded and agreed with the directors or any Court of them, and paid such composition money, which composition the said trustees and directors or any Court of them, are hereby empowered to make.

And in case of refusal may be proceeded against in a summary manner.

Protective clause.

18. If any action shall be brought, or suit commenced against any person or persons for anything done in pursuance of this

SESSION OF 1889-90.

Act or in relation to the premises or any of them, every such action or suit shall be laid or brought within two months next after the grievance committed, and the defendant and defendants in such action, may plead the general issue, and give this Act and a tender of amends before action brought, or the special matter in evidence at any trial to be had thereafter, and that the act or matter was done in pursuance and by the authority of this Act, and if the same shall appear to have been so done, or if any such action or suit shall not be brought within the time before limited, or the jury shall not consider the party aggrieved entitled to more than the amends tendered, then the jury shall find for the defendant or defendants; or if the plaintiff or plaintiffs shall become non-suit or suffer a discontinuance of his or her or their action or actions, or if a verdict shall pass against the plaintiff or plaintiffs, or if upon demurrer judgment shall be given against the plaintiff or plaintiffs, the defendant or defendants shall have double costs, and shall have such remedy for recovery of the same as any defendant or defendants hath or have for costs in other cases of law.

19. The trustees and directors are hereby authorized and required to cause sufficient hospital accommodation to be provided at the said hospital for the reception, treatment and care of seamen belonging to merchant vessels trading to this Island, who may require medical aid and claim the same. And the seamen received into the hospital shall, free of charge, have every possible care, attention, and medical treatment whilst there; and should any of them die in hos-

Trustees and Directors to provide accommodation for sick merchant seamen who shall be treated free of charge and if they die in hospital be buried at the expense of the establishment.

LAWS OF BARBADOS.

pital, the cost of their funerals shall be defrayed from the funds of the establishment.

20. This Act shall be deemed and taken to be a public Act, and shall be judicially taken notice of as such by all Judges Justices and others, without specially pleading the same.

Repeal.

Repeal and Savings.

21. The Acts mentioned in the schedule to this Act annexed are hereby repealed, provided that this repeal shall not affect ;

1. The past operation of the enactments hereby repealed nor anything done or suffered under the enactments hereby repealed ; nor
2. any right, privilege, obligation or liability acquired, accrued, or incurred under the enactments hereby repealed ;
3. any penalty, forfeiture, or punishment incurred in respect of any offence committed against the enactments hereby repealed ;
4. any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture, or punishment as aforesaid, and any such investigation, legal proceeding and remedy may be carried on as if this Act had not passed.
5. any act in which the enactments hereby repealed have been applied, incorporated, or referred to.

SESSION OF 1889-90.

SCHEDULE.

Date of Act.	Title of Act.	Extent of Repeal
4th June 1840.....	An Act for incorporating the Members of a Society formed for the establishment and maintenance of a Hospital, for the reception and treatment of the sick poor.....	The whole Act.
11th August 1858	An Act to amend the General Hospital, Act of 4th June 1840, and to provide Hospital accommodation for Merchant Seamen.....	The whole Act.
14th November 1873...	An Act to grant the annual sum of £300 to the Directors of the Barbados Hospital Society, for the relief of the sick poor, for a salary for a Resident Surgeon and a further sum not exceeding £300 for building Quarters for the Surgeon; and to consolidate certain Acts relating to the General Hospital.....	The whole Act.
15th June 1875....	An Act to increase the annual grant for the maintenance of the General Hospital, and to make a grant to the same for building purposes.....	The whole Act.

LAWS OF BARBADOS.

CAP. LIV.

(Assented to 11th October 1890.)

BARBADOS.

An Act to consolidate and amend the Acts relating to merchants' gunpowder.

BE it enacted by the Governor, Council, and Assembly of this Island, and by the authority of the same, as follows;

Short title.

1. This Act may be cited as "The Merchants' Gunpowder Act, 1890."

Interpretation

Interpretation of terms.

2. In this Act gunpowder shall mean and include blasting powder, gun cotton, dynamite, nitro-glycerine and all other explosive matter whatsoever; and magazine shall mean and include as well such magazine or place on shore, or hulk or vessel at sea as may from time to time be provided and set apart by the Government for the storage of gunpowder, (hereinafter called public magazine) as such building or place as may in any special case be approved of by the Government for storing gunpowder in that particular instance.

Prohibition of manufacture &c. of explosives.

Governor-in-Executive Committee empowered to prohibit or restrict the manufacture &c., of specially dangerous explosives.

3. The Governor-in-Executive Committee may from time to time by an order in Executive Committee, either prohibit absolutely or may subject to conditions or restrictions the manufacture, keeping, importation, conveyance, and sale, or any of them of any explosive which is of so dangerous a character that in the judgment of the Governor-in-Executive Committee it is expedient for the public safety to make such order.

SESSION OF 1889'90.

4. Every person violating such order shall on conviction thereof before a police magistrate, on the complaint of any person, be liable to a penalty not exceeding one hundred pounds, or to a term of imprisonment with hard labour not exceeding twelve months, and such explosive shall be forfeited and dealt with in such manner as the Governor-in-Executive Committee may direct.

Penalty for violating orders under last section.

Magazine.

5. All gunpowder not being the property of the Imperial Government which is imported into this Island or which is now in the Island shall, except such as is mentioned in sections fourteen and fifteen of this Act be stored in a magazine.

All gunpowder not being the property of the Imperial Government shall, except as afterwards mentioned be stored in a magazine.

Powder at owner's risk

6. All gunpowder shall be stored in a public magazine at the risk of the owner, unless fault or negligence shall be proved against any person employed by the Government.

Gunpowder to be stored at owner's risk.

Powder may be removed from magazine.

7. It shall be lawful for the Governor to order the immediate removal from any public magazine and disposal in any way he may think fit, of any gunpowder which having been received may subsequently be considered by him to endanger the safety of such magazine; and no compensation shall be paid to the owner for any loss sustained.

Governor may order removal of gunpowder.

Keeper of public magazine.

8. The Governor shall appoint a keeper of the public magazine, who shall receive a salary of seventy-five pounds per annum, and shall also appoint such porters as shall appear necessary to the Governor-in-Executive Com-

Appointment of keeper of magazine and porters.

LAWS OF BARBADOS

mittee ; provided that the total sum expended in any year under this section shall not exceed one hundred and seventy five pounds ; and provided also that any person appointed under this section shall be subject to dismissal after one month's previous notice.

Keeper of magazine to give bond with sureties.

9. The keeper of the public magazine shall enter into such bond as shall be required by the Governor-in-Executive Committee and the sureties to such bond shall be approved by the Governor-in-Executive Committee ; and if any hulk or vessel is set apart as a public magazine the same shall be under the charge and care of the Harbour Master.

Landing and conveyance

Gunpowder may not be landed in quantities exceeding 50 lbs except powder cart in attendance.

10. It shall not be lawful to land gunpowder in larger quantities at one time than fifty pounds in weight, unless powder-carts (properly equipped as specified in section eleven of this act) are in attendance for its transport from the landing place.

Regulations to be observed when powder is being conveyed after landing.

11. Every package of gunpowder landed, if not conveyed in a powder-cart shall, whilst it is being conveyed to its destination be covered with a blanket, rug, or other suitable material, and the person carrying it shall carry conspicuously a red flag of not less than eighteen inches square, and every powder cart employed in conveying gunpowder shall be equipped with a quantity of blankets, rugs, or other suitable material sufficient to cover the packages of gunpowder when in the powder-cart, and with a red flag not less than eighteen inches square, to be fixed in a conspicuous position in the powder-cart, or carried in the driver's

SESSION OF 1889-'90.

hand, so long as the powder-cart is employed in the transport of gunpowder within the limits of the City of Bridgetown, Saint Ann's Garrison, within one quarter of a mile of Saint Ann's Garrison, or within the limits of Speightstown. Every person removing from the place of landing any package of gunpowder and conveying it without its being covered as aforesaid or without carrying the red flag as aforesaid shall be liable to a penalty not exceeding five pounds, and the owner or driver of any powder-cart, which while employed in the transport of gunpowder is not equipped as specified in this section, shall be liable respectively to a penalty not exceeding five pounds.

Rules for shipment.

12. It shall be lawful for the Governor-in-Executive Committee to make such rules and regulations as may be necessary for the better carrying out of the shipment when necessary of gunpowder from the public wharf; and such rules and regulations shall be published three times in the Official Gazette and a printed copy thereof exposed in a conspicuous place at the Commercial Hall and the Public Buildings, and the various police guard houses in Bridgetown, and thereafter such rules and regulations shall have the force of law, the same as if they were incorporated in this Act; and the penalty for any breach of the said rules and regulations or any of them shall be a sum not exceeding twenty five pounds to be recovered as in the case of servants' wages.

Rules to be made by Governor-in-Executive Committee for shipment of gunpowder.

Rules to be published 3 times in Official Gazette and exhibited at Public Buildings &c.,

Penalty for breach of rules.

LAWS OF BARBADOS

Place for landing or shipping.

Person landing or shipping gunpowder at unauthorised place liable to penalty of £25.

13. Any person landing or shipping, or causing to be landed or shipped, or attempting to land or ship gunpowder at any place, except at a place appointed for that purpose, by or under the provisions of this act, shall be liable to a penalty not exceeding twenty five pounds.

Quantity kept in a store.

Quantity of gunpowder which may be kept by dealer.

Proviso.

14. It shall be lawful for every dealer in gunpowder to keep in any shop, store, or warehouse, for sale, any quantity of gunpowder not exceeding fifty pounds in weight; provided that not exceeding twenty five pounds thereof, to be blasting powder, may be kept in one keg, and not exceeding twenty five pounds (the remainder thereof,) which may be either blasting or sporting powder, or both be kept in tin canisters, each canister to contain not more than one pound in weight of gunpowder.

Quantity kept in house.

Quantity of gunpowder which may be kept by householder in Bridgetown or Speightstown.

15. It shall be lawful for any householder to keep gunpowder in any building belonging to him subject to the following conditions;

(i) if such building is in Bridgetown or within half a mile of the limits thereof, or within Speightstown, he shall not keep therein more than two pounds in weight at any one time; and

(ii) if such building is not within the above mentioned limits he shall not keep therein more than twenty five pounds of blasting powder and five pounds of any other explosive.

SESSION OF 1889-90.

Penalty.

16. Any person who shall infringe either of the two last preceding sections shall for every such offence be liable to a penalty not exceeding twenty five pounds.

Penalty.

Search warrant.

17. On information on oath being given before the police magistrate of the district in which the offence may be committed by any police officer or other person, that such police officer or other person, has good cause to suspect that a larger quantity of gunpowder than is allowed by this Act, is kept in any place, it shall be lawful for such police magistrate to grant a search warrant to search for such gunpowder, which search warrant shall be executed under the direction of a sergeant, corporal, or other superior officer of police, between the hours of seven o'clock in the morning and five in the afternoon, and all gunpowder which shall be discovered to be so illegally kept as aforesaid, shall be forfeited and sold under the order of any such police magistrate, and the proceeds thereof paid into the public treasury for the uses of the colony.

Procedure to be adopted in cases of excess quantities of gunpowder kept in store or house.

Red flag on powder barge

18. Every boat, barge, or other vessel employed for the landing, transport, or shipment of gunpowder (hereinafter called a powder barge) shall, whilst employed as aforesaid, carry a red flag not less than eighteen inches square, hoisted on a pole not less than six feet in height above the gunwale of such powder barge; and the

Powder barge carry a red flag.

LAWS OF BARBADOS

owner of any powder barge which, whilst employed in the landing, transport, or shipment of gunpowder, is not equipped in the manner specified in this section, shall be liable to a penalty not exceeding ten pounds.

No fire or light on barge.

Fire or light not allowed on powder barge. 19. It shall not be lawful to have any fire or light of any description on board of any powder barge, whilst employed in the landing, transport, or shipment of gunpowder, and the person in charge of any powder barge, so employed as aforesaid, on board of which shall be found any fire or light,

Penalty.

shall be liable to a penalty not exceeding ten pounds, or on a second or other subsequent offence and in the discretion of the magistrate, to imprisonment with or without hard labour for a period not exceeding three months.

Red flag on vessel loading, &c.

Vessel loading or discharging gunpowder to fly a red flag. 20. Every ship or other vessel loading or discharging gunpowder shall, whilst so employed in loading or discharging as aforesaid, carry flying at her mast head a red flag not less than seventy two inches square; and the master or other person for the time being in charge of any such ship or vessel which whilst so employed as aforesaid shall not comply with the requirements of this section,

Penalty.

shall be liable for every such offence to a penalty not exceeding ten pounds.

No fire or light on such vessel.

Fire or light not allowed on board such vessel. 21. It shall not be lawful to have any fire or light of any description on board of any ship or vessel employed in loading or discharging gunpowder, except in the case of

SESSION OF 1889-'90.

steamers which may use their engine fires, and the master or other person for the time being in charge of any vessel while so employed as aforesaid on board of which shall be found any fire or light, except as aforesaid shall be liable to a penalty not exceeding fifty pounds.

No matches or smoking.

22. Any person carrying lucifer or other matches whilst employed in the landing, shipment, loading, discharging, storage, transport or issue of gunpowder, shall be liable to a penalty not exceeding twenty-five pounds, and every person found smoking or with a naked light in his possession whilst employed as aforesaid, shall on conviction before a police magistrate be liable to imprisonment, for a period not exceeding six months.

Penalty on persons having matches or naked light or smoking whilst employed in landing &c., gunpowder.

Rules and regulations

23. The Governor-in-Executive Committee shall when and as often as is necessary make, and may, when made, revoke, alter, or amend rules and regulations.

Rules to be made &c., by Governor-in-Executive Committee.

- (i) for determining the times and manner in which gunpowder shall be placed in or removed from a magazine.
- (ii) for determining the duties to be performed by any keeper or other officer appointed under section eight of this Act.
- (iii) for prescribing the precautions to be observed in placing gunpowder in or storing it in or removing it from a magazine or when in transit there-to or therefrom.

LAWS OF BARBADOS

(iv) for appointing the places at which gunpowder may be landed in this island.

(v) for fixing the amount and time and mode of payment of fees to be paid for the storage of gunpowder in a public magazine.

(vi.) for determining the nature and extent of the information to be furnished the Government by any person making, manufacturing or keeping in or importing into this Island of any gunpowder

Rules to be published 3 times in Official Gazette.

24. All such rules and regulations and revocations, alterations, and amendments of regulations shall on being published three times in the Official Gazette be as valid and effectual as if inserted in this act.

Penalties.

General penalty section.

25. Every person violating any of the provisions of this Act or any rule or regulation thereunder for the violation of which no penalty is expressly provided, shall on conviction thereof, be liable for every such offence to a penalty not exceeding ten pounds.

Recovery and disposition of penalties.

26. All penalties incurred under any rule or regulation, or under this Act, shall be recoverable in a summary manner before any police magistrate on the prosecution of the keeper of the public magazine, or any officer of the land or harbour police, and all money penalties shall be payable into the public treasury for the use of the colony.

SESSION OF 1889' 90.

Fees.

27. All fees collected under this Act, shall be paid into the treasury for the use of the public, and all expenses required to be undertaken for the due carrying out of the provisions of this Act shall be paid in the usual manner from the treasury. Fees to be paid to and expenses paid from the public treasury.

Police aid

28. The Inspector General of police shall on application in writing from the keeper of the public magazine, place at the keeper's disposal the services of one or more police officers for the purpose of keeping order during the landing, delivery, issue, or shipment of gunpowder, and of enforcing the due observance of this Act and of all rules and regulations made under it. Inspector General shall afford police aid where required.

Exemption from duty.

29. Gunpowder, gun cotton, dynamite, nitro glycerine, and all other explosive matter whatsoever may be imported without payment of duty, and shall be included among those articles exempt from duty and mentioned in Table "B" to "The Customs Tariff Act, 1889." Gunpowder &c., exempted from duty

Repeal.

30. The Acts mentioned in the schedule to this Act annexed are hereby repealed; provided that this repeal shall not affect: Repeal and Savings.

1. The past operation of the enactments hereby repealed or anything done or suffered under the enactments hereby repealed; or
2. any right, privilege, obligation, or liability acquired, accrued, or incurred under the enactments hereby repealed; or

LAWS OF BARBADOS.

3. any penalty, forfeiture, or punishment incurred in respect of any offence committed against the enactments hereby repealed ; or
4. any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty forfeiture, or punishment as aforesaid and any such investigation, legal proceeding and remedy may be carried on as if this Act had not passed.

SCHEDULE.

Date	Title of Act	Extent of Repeal.
27th August 1880.	An Act to consolidate and amend the law relating to the landing, storage, and issue of merchants' gunpowder, and to make provision for the transport and shipment of the same.	The whole Act.
20th August 1887.	An Act to amend "The Merchants' Gunpowder Act, 1880."	The whole Act.
6th March 1888...	An Act to amend "The Merchants' Gunpowder Act, 1880."	The whole Act.

SESSION OF 1889'90.

CAP LV.

(Assented to 28th October, 1890.)

BARBADOS.

An Act to authorise the Vestry of the parish of St. Lucy in this Island to raise a loan for the purpose of repairing the Curate's house of St. Clement's Chapel in the said parish.

WHEREAS the Vestry of the parish of St. Lucy in this Island have by their petition to the Legislature of this Island, prayed that they may be authorised to raise a loan of four hundred and fifty pounds for the purpose of repairing the Curate's house of St. Clement's Chapel in the said parish; And Whereas it is deemed expedient to grant the prayer of the said petition; Be it therefore enacted by the Governor, Council, and Assembly of this Island, and by the authority of the same as follows:—

1. This Act may be cited for all purposes as "The St. Lucy's parish (Barbados) Loan Act, 1890."

Short title.

2. It shall be lawful for the Vestry of the said parish of St. Lucy and they are hereby authorised from time to time as they may require the same, to borrow from any person or persons, body or bodies politic or corporate, willing to lend them the same, a sum or sums of money not exceeding four hundred and fifty pounds, to be applied by them in repairing the Curate's house of St. Clement's Chapel in the said parish, and the sum or sums so borrowed with interest thereon at a rate not exceeding six pounds per centum per annum shall be the first charge

Vestry of St. Lucy empowered to borrow on the security of the rates a sum not exceeding £450 for repairing the Curate's house of St. Clement's Chapel.

Position to be held by such loan.

LAWS OF BARBADOS

- on the rates of the said parish until paid.
- Rates to be laid for repayment of loan.** 3. For the purpose of repaying any sum or sums which may be borrowed as aforesaid (not exceeding together the sum of four hundred and fifty pounds) the said Vestry are hereby authorised and required to lay a rate in the said parish in the year one thousand eight hundred and ninety one, and each of the five then next following years, sufficient to pay an equal one sixth part of the sum or sums which may be borrowed with the interest annually becoming due in those years, on the principal sum and the unpaid balances thereof; and such rates are to be laid in the usual manner and are to be subject to confirmation or amendment in the usual manner.
- Certificate of amount borrowed to be given to the lender.** 4. When any sum or sums shall be borrowed as aforesaid, the Chairman, Churchwarden, and Senior member of the said Vestry in Vestry assembled, shall give to the persons bodies politic or corporate from whom any sum or sums may be borrowed certificates showing the amount borrowed, and the names of the persons with their proper additions, bodies politic or corporate from whom borrowed with the rate of interest thereon, and appointing the times and the place of payment of principal and interest; which times and place of payment are to be as follows, namely; at the Parochial Treasurer's Office in the said parish in the month of October in the six several years in which the rates to pay the said loan and the interest thereon are to be laid as aforesaid. Such Certificates shall not altogether exceed nine and shall be numbered and dated, and no certificate shall be issued for less than the sum of fifty pounds
- Time and place of repayment of loan.**
- Total number of certificates.**

SESSION OF 1889-90.

The Certificates shall be made in the words or to the effect in schedule A to this Act.

Form of certificates.

5. An entry or memorial of every such Certificate containing the number and date thereof and the names of the persons (with their proper additions) bodies politic or corporate to whom the same shall have been made, and of the sums borrowed together with the rate of interest to be paid thereon and the month in each year and the years in which the sums mentioned in the several certificates are appointed to be paid, shall within fourteen days after the date thereof be entered in a book to be kept for that purpose by the Parochial Treasurer of the said parish, which book may be perused at all convenient hours of the day by any persons interested in any certificate, upon payment of a fee of six pence to the Parochial Treasurer.

Memorial of each certificate to be kept by the Parochial Treasurer.

All persons bodies politic or corporate to whom any such certificates shall have been issued as aforesaid, or who shall have become entitled to the money due thereon, may from time to time transfer their respective rights and interests therein to any other persons bodies politic or corporate.

Transfer of certificates.

Any transfer thereof may be in the words or to the effect in schedule B to this Act, and must be attested by two witnesses. Every such transfer shall be produced to the Parochial Treasurer of the said parish, who shall cause an entry or memorial to be made thereof in the same manner as of the original certificates for which entry or memorial the Parochial Treasurer shall be paid such sum as the Vestry shall appoint, not exceeding two shillings and six pence. After such entry made, every transfer shall respectively entitle

Form of transfer.

Transfer to be noted by Parochial Treasurer.

Effect of transfer.

LAWS OF BARBADOS

such assignee or his executors administrators or assigns to the full benefit of the certificate and payment thereof, and it shall not be in the power of any persons, bodies politic or corporate who shall have made such transfer, to make void, release or discharge, the transfer or any sum of money thereon due or owing thereon or thereby secured, or any part thereof.

Transfer not valid until noted. 6. No transfer of any certificate issued under the authority of this Act shall be of any force or validity so far as regards the payment of interest or for any other purpose until the same shall have been duly noted in the book to be kept for that purpose by the Parochial Treasurer.

Payment of interest and also of principal. 7. On the day or respective days appointed in the said certificates for the payment of the interest on the principal moneys named therein, the Vestry shall on demand, pay through the Parochial Treasurer of the said parish at his office to the holders of the respective certificates such interest money and on the day or respective days appointed in the said certificates for the payment of the principal moneys named therein the said Vestry shall also on demand pay through the Parochial Treasurer at his office to the holders of the respective certificates the several amounts of principal money named therein respectively, together with all interest due or payable thereon up to the day on which the principal money shall have been respectively made payable.

Interest on certificate when to cease. 8. From and after the day appointed in each certificate for the payment of the principal money named therein, all interest shall cease and determine in respect of the

SESSION OF 1889'90.

principal money named in such certificate and that notwithstanding that payment of the principal money named in such certificate shall not have been made or demanded.

9. Whenever any interest money shall be paid to any holder of a certificate on the principal money named in such certificate, a receipt for such interest money shall be endorsed on such certificate and signed by the person or persons receiving such interest money, and a duplicate receipt for the interest shall at the same time be given by the same person or persons to the Parochial Treasurer to be filed by him in his office, and every certificate shall together with the transfers thereof (if any) at the time of the payment of the principal money named in such certificate together with all interest thereon as aforesaid, be delivered up to the Vestry and shall forthwith be by them cancelled or destroyed; provided that if any certificates or transfers shall have been destroyed lost or mislaid, the Vestry shall still pay the sums named in the certificates to the persons, bodies politic or corporate, whom they may consider entitled to the same upon being satisfied at the cost of such persons, bodies politic or corporate that such certificates have been destroyed or cannot be found, and upon receiving such sufficient guarantees of indemnity as they may think fit to require or may by their Counsel in the law be advised to require.

Receipt for interest to be endorsed on certificate and when principal paid certificate to be cancelled.

Proviso.

10. The said Vestry are hereby authorised and required to lay a rate at the same time that the annual rates are laid in the said parish for the purpose of meeting the cost of preparing and passing this Act, and

Costs of and expenses under Act, how met.

LAWS OF BARBADOS

for defraying all expenses incurred by them from time to time in carrying out the provisions of this Act.

Majority of Vestry to be the Vestry for the purposes of Act.

11. All acts matters and things authorised or necessary to be done or executed by the said Vestry under this Act may be done and executed by the majority of the members of the said Vestry in meeting assembled.

SCHEDULE A

CERTIFICATE NUMBER.

"The St. Lucy's Parish (Barbados) Loan Act, 1890."

Form of certificate.

We the Chairman, Churchwarden and Senior, Member of the Vestry of the parish of St. Lucy in the said Island in Vestry Assembled do with the authority of the said Vestry hereby certify, that the said Vestry have under the provisions of the said Act borrowed from _____ of the parish of _____ in the said Island the sum of _____ pounds which sum has been paid to the said Vestry and such sum is to be repaid at the Parochial Treasurer's Office in the said parish of St. Lucy in the month of October 189 _____ and is meanwhile to carry interest at the rate of _____ per centum per annum and, such interest is to be paid in the month of October in every year at the Parochial Treasurer's Office aforesaid.

Given under our hands this _____ day
of _____ 189 _____

SCHEDULE B

I of
do hereby transfer a certificate dated the
day of 189 made by
the Vestry of the parish of St. Lucy in the
said Island under the provisions of the
said Act for securing the sum of
pounds and interest thereon and the money
thereby secured and all my right estate
and interest in and to the same to
of executors
administrators and assigns for value receiv-
ed.

Form of transfer.

Dated this day of
189 .

Witnesses :

CAP. LVI.

(Assented to 28th October, 1890.)

BARBADOS.

*An Act to amend "The Rum Duty Act,
1887."*

BE it enacted by the Governor, Council and Assembly of this Island and by the authority of the same, as follows:

1. This Act may be cited as "The Rum Duty Act, 1887, Amendment Act, 1890," and shall be read with "The Rum Duty Act, 1887," (hereinafter referred to as "the principal Act,") as one Act.

Short title.

2. Section forty of the principal Act is hereby repealed and the following substituted therefor. In the event of any breach of

Penalty for in-
fringing section 39
of the principal Act.

LAWS OF BARBADOS

the provisions of section thirty nine of the principal Act, both the person by whose permission or authority such rum was sold, delivered, or removed as well as the person to whom such rum was sold and delivered shall respectively be liable to a penalty not exceeding fifty pounds, and such rum may be seized and sold for the benefit of the

Inspector may deliver up rum seized and refrain from legal proceedings.

general revenue. Provided however that if the Inspector shall be satisfied that any rum seized under a permit which had ceased to be valid and subsisting had become liable to seizure either through an accident or from any unavoidable circumstance, and that no fraud was intended, he shall return such rum to the owner or purchaser thereof and not institute any legal proceedings in relation thereto. Provided also that any

Person conveying rum under an expired permit may deposit it at police station.

person conveying rum under a permit which during the conveying thereof had ceased to be valid and subsisting may take such rum to and leave it at the nearest police station or guard house until the time of the permit shall be extended by the Colonial Treasurer, the Inspector of Inland Revenue Officers, or by any Inland Revenue Officer, and such rum shall not be liable to seizure either while being conveyed to such station or guard-house or while it is there, and the officer in charge of such station or guard-house shall be liable for the safe custody and care of such rum while there.

Repeal and penalty for breach of section 44 of the principal Act.

3. Section forty five of the principal Act is hereby repealed and the following substituted therefor. Every person who fails to comply with the requirements of section forty four of the principal Act shall be liable to a penalty not exceeding fifty pounds and in addition to such penalty the rum so

SESSION OF 1889'90.

being conveyed or removed may be seized and sold for the benefit of the general revenue.

4. In section forty six of the principal Act in line seven substitute the words "not exceeding" for the word "of." Amendment of section 46 of said Act.

CAP LV.

(Assented to 28th October, 1890.)

BARBADOS.

An Act to incorporate into one Act certain pensions granted by resolution of the Legislature during the Session of 1889-90.

WHEREAS it is deemed expedient to incorporate into one Act certain pensions granted by resolution of the Legislature during the present Session; Be it therefore enacted by the Governor, Council and Assembly of this Island, and by the authority of the same, as follows;

1. From and after the passing of this Act the Treasurer of the Island shall, and he is hereby authorised to pay annually, in equal monthly payments from the public treasury on the warrant of the Governor-in-Executive Committee to the several persons mentioned in column one of the schedule to this Act annexed, during the term of their respective natural lives, the sums mentioned and set out in column three of the said schedule against the respective names of those persons. Grant of the several pensions specified in the Schedule to the several persons therein mentioned for their respective lives.

2. The Colonial Treasurer is hereby indemnified for any payments made by him in respect of any of the said pensions since Indemnity to the Colonial Treasurer.

LAWS OF BARBADOS.

the twentieth day of February one thousand eight hundred and ninety.

3. Immediately on the passing of this Act the several resolutions of the Legislature granting the said pensions shall become inoperative and cease to have effect.

Effect of resolutions to cease.

SCHEDULE.

Column one.	Column two.	Column three.
Mrs. E. C. King...	Late Teacher Retreat Infant School.....	£ s. d. 10 0 0
Renn Shepherd...	Late Schoolmaster Beulah.....	10 0 0
Benjamin Elam...	Late Messenger Custom's Department	10 0 0
James S. Walker	Late Foreman Fire Brigade	22 10 0

CAP. LVIII.

(Assented to 28th October, 1890.)

BARBADOS.

An Act to amend "The Sale of Food and Drugs Act, 1889."

BE it enacted by the Governor, Council and Assembly of this Island, and by the authority of the same, as follows ;

Short title.

1. This Act may be cited as "The Sale of Food and Drugs Act, 1889, Amendment Act, 1890," and shall be read with "The

SESSION OF 1889-90.

Sale of Food and Drugs Act, 1889," (hereinafter referred to as the "principal Act," as one Act.

2. Any parochial medical officer, sanitary inspector, or inspector of weights and measures, or any inspector of a market, or any police officer may procure at the place of delivery any sample of any milk in course of delivery to the purchaser or consignee in pursuance of any contract for the sale to such purchaser or consignee of such milk and such officer, inspector, or police officer if he suspect the same to have been sold contrary to any of the provisions of the principal Act, shall submit the same to be analysed, and the same shall be analysed, and proceedings shall be taken, and penalties on conviction be enforced in like manner in all respects as if such officer, inspector, or police officer had purchased the same from the seller or consignor under section sixteen of the principal Act. Officers herein mentioned may obtain a sample of milk at the place of delivery to submit to analyst.

3. The seller or consignor or any person or persons entrusted by him for the time being with the charge of such milk; if he shall refuse to allow such officer, inspector, or police officer to take the quantity which such officer, inspector, or police officer shall require for the purpose of analysis, shall be liable to a penalty not exceeding ten pounds. Penalty for refusal to give milk for analysis

4. Any officer authorized to take samples under the principal Act may, without going through the form of purchase provided by that Act, but otherwise acting in all respects in accordance with the provisions of the said Act as to dealing with samples, take for the purposes of analysis, samples of any butter, or substances purporting to be Samples of butter &c., may be taken without going through the form of purchase.

LAWS OF BARBADOS.

butter, which are exposed for sale, and are not marked 'Margarine,' 'Oleomargarine' or 'Butterine,' as provided by the principal Act; and any such substance not being so marked shall be presumed to be exposed for sale as butter.

CAP LIX.

(Assented to 28th October 1890.)

BARBADOS.

An Act to consolidate the Acts relating to the Reformatory and Industrial School.

BE it enacted by the Governor, Council, and Assembly of this Island, and by the authority of the same as follows :—

Preliminary.

Short title.

1. This Act may be cited as "The Reformatory and Industrial School's Act, 1890."

Meaning of terms used.

2. In this Act unless the context otherwise requires—

the term "school" shall mean the reformatory and industrial school established under the provisions of this Act;

the term "magistrate" shall mean police magistrate having jurisdiction in the place where the matter requiring the cognizance of a magistrate arises;

and the term "Executive Committee" shall mean the persons for the time being constituting the Executive Committee under the provisions of "The Executive Committee Act, 1881."

The school and its officers.

"Dodds" vested in Executive Committee,

3. The plantation called "Dodds" situate in the parish of Saint Philip together with all buildings now standing or

SESSION OF 1889'90.

being erected thereon, and all the appurtenances thereof are hereby vested in the Executive Committee.

4. The school established by the Executive Committee on the said plantation for the instruction and training, and for the employment in agricultural work of such boys as are hereinafter in this Act specified shall be kept up by the Executive Committee. School to be kept up by the Executive Committee.

5. It shall be lawful for the Governor-in-Executive Committee by proclamation, to authorise and cause any land or building they may think fit, to be used as a reformatory and industrial school, and any land or building so authorised to be so used shall be subject to the provisions of this Act, and the provisions of this Act shall take effect in all respects as if such land or building were included in the term "school," defined in section two of this Act. Governor-in-Executive Committee may by proclamation authorise the use of any land or building as a reformatory and industrial school.

6. The Executive Committee shall erect on the said plantation all such buildings as are required for any school thereon for the purposes mentioned in the last preceding section of this Act. Committee to erect suitable buildings.

7. The Executive Committee shall, when and so often as is necessary, make all such alterations or repairs as may be requisite in all buildings erected on the said plantation. Committee to make alterations and repairs.

8. The Executive Committee shall provide for the school all such furniture as is requisite, and shall also provide all such implements, utensils and things as are required for the agricultural work in which the boys sent to the school are employed; provided always that nothing in this or the preceding section contained shall be held to empower the Executive Committee to expend To provide furniture and implements &c., for agricultural work.

Proviso not to expend more than £200 in a year unless authorised.

LAWS OF BARBADOS.

- any sum or sums of money for the purposes mentioned in those sections exceeding two hundred pounds in any one year unless authorised by special vote on the Estimates
- Governor to appoint Officers.** 9. The Governor shall, when and so often as is necessary, appoint the several officers next hereinafter mentioned at the several annual salaries hereinafter specified, (that is to say :)
- Salaries.**
- | | |
|--|------|
| a Superintendent, at an annual salary of..... | £300 |
| a Chief Officer and Steward, at an annual salary of..... | £100 |
| a Chaplain at an annual salary of | £ 30 |
| a Schoolmaster, at an annual salary of..... | £ 75 |
| a Medical Officer, at an annual salary of..... | £ 50 |
| a Matron, at an annual salary of | £ 30 |
- and such other officers as the Governor may from time to time appoint ; provided always that the sum to be expended under this section in any one year shall not exceed eight hundred pounds ; and the several officers when appointed shall all hold their offices during the Governor's pleasure.
- Proviso, salaries not to exceed £800 a year.**
- Offices to be held during pleasure.**
- Salaries paid from public treasury.** 10. The several salaries specified in the last preceding section of this Act shall be paid out of the public treasury on the warrant of the Governor-in-Executive Committee by equal monthly instalments.
- Superintendent subject to approval to employ watchmen and other servants.** 11. The superintendent of the school shall, subject to the approval of the Executive Committee, employ such watchmen as are necessary, and also such persons as may from time to time be required to perform any agricultural work on the said plantation which the boys of the school are unable to perform.

SESSION OF 1889-90.

12. The superintendent of the school shall, subject to the approval of the Executive Committee, determine the rate of wages to be paid to the servants and persons employed in accordance with the last preceding section of this Act. Superintendent to determine wages.

13. The Inspector of Prisons shall be the official visitor of the school and shall visit at least once in every three months. Inspector of Prisons official visitor.

14. Every officer of the school who is in charge of any boy sent to the school under this Act for the purpose of conveying him to or from the school or of bringing him back to the school in case of his escape or refusal to return, shall for such purpose and while engaged in such duty, have all such powers, authorities, protection and privileges, for the purpose of the execution of his duty as an officer of the school as any duly appointed constable has by common law, Act of the Island, or custom, within the parish for which he is appointed. Officer conveying any boy has power &c., of a constable.

Rules and Regulations.

15. The Governor-in-Executive Committee shall, when and so often as is necessary, make rules and regulations for all or any of the following purposes, (that is to say); Governor in Committee to make rules

- (1) for determining the duties to be performed by the several officers mentioned in section nine of this Act and by the Inspector of Prisons as official visitor of the school: Purposes for which made.
- (2) for the proper classification of the inmates of the school:
- (3) for the training, education, and moral and religious instruction, for the employment in agricultural

LAWS OF BARBADOS

work and for the apprenticeship of the boys sent to the school; and

- (4) for maintaining proper discipline in and for the proper conduct and management of the school.

A system of marks and of rewards to be established.

16. The Governor-in-Executive Committee may make rules and regulations for the establishment of the mark system at the Reformatory and Industrial School, and for rewarding by means of good conduct badges, prizes and small money payments, those boys who earn the requisite number of marks, and for punishing by means of withdrawal of privileges or by requiring the performance of additional work, those boys who through misconduct obtained bad marks.

Governor in Committee to revoke or alter rules.

17. The Governor-in-Executive Committee may when and so often as is necessary revoke or alter any rules or regulations made under the two last preceding sections of this Act.

Rules published in Official Gazette and to become law.

18. All rules and regulations and revocations and alterations of rules or regulations made under the three last preceding sections of this Act shall be three times published in the Official Gazette, and when so published shall become law and be binding on all persons affected thereby.

Classes of boys to be sent to the school.

Court or Magistrate may sentence boy under 16 to be sent to the School.

19 Whenever any boy, who, in the judgment of the court or magistrate before whom he is charged, is under the age of sixteen years, is convicted on indictment or in a summary manner of an offence punishable with penal servitude or imprisonment, in lieu of or in addition to any other punish-

SESSION OF 1889-'90.

ment to which he may be subject, the court or magistrate may sentence him to be sent to the school and there detained for a period of not less than two years and not more than five years having regard to his age at the date of his conviction; provided always that a boy under the age of ten years shall not be so directed to be sent to the school, (under the provisions of this section,) unless he has been previously charged with some crime or offence punishable with penal servitude or imprisonment, or is sentenced by the Chief Justice.

Proviso.

20. Any person may bring before a magistrate any boy, apparently under the age of sixteen years that comes within any of the following descriptions, namely;

Boy under 16 coming within descriptions named may be brought before a Magistrate.

Descriptions.

that is found begging or receiving alms, (whether actually or under the pretext of selling or offering for sale anything,) or being in any street or public place for the purpose of so begging or receiving alms;

that is found wandering and not having any home or settled place of abode or proper guardianship or visible means of subsistence;

that is found destitute, either being an orphan or having a surviving parent who is undergoing penal servitude or imprisonment;

that frequents the company of known thieves;

that is lodging, living or residing with common prostitutes, or in a house resided in or frequented by prostitutes for the purpose of prostitution;

that frequents the company of common prostitutes;

And the magistrate before whom a boy is brought as coming within one of those descriptions if satisfied on enquiry of that fact

Magistrate may after enquiry order boy to the school.

LAWS OF BARBADOS

and that it is expedient to deal with him under this Act may order him to be sent to the school; provided that if for the first offence the parent or guardian of such child shall appear before the said magistrate and claim the child, such child shall be delivered up to such parent or guardian on such parent or guardian undertaking in writing to be responsible for the good behaviour of such child for the period of twelve months from the day of the date thereof.

Circumstances under which Magistrate may order boy to be sent to the School.

21. Where a boy apparently under the age of sixteen years is charged before a magistrate with an offence punishable by imprisonment or a less punishment and the boy ought in the opinion of the magistrate, (regard being had to his age and to the circumstances of the case), to be dealt with under this Act, the magistrate may order him to be sent to the school.

Magistrate may on representation of guardians of poor order any boy to be sent to the School.

22. Where the guardians of the poor of any parish represent to a magistrate that any boy apparently under the age of sixteen years maintained in the almshouse of the parish is refractory, or is the child of parents either of whom has been convicted of a crime or offence punishable with penal servitude, or imprisonment, and that it is desirable that he be sent to the school, the magistrate may, if satisfied that it is expedient to deal with the boy under this Act, order him to be sent to the school.

Boy under 12 summarily convicted may be sentenced to be privately whipped.

23. Where any boy under the age of twelve years is convicted before a police magistrate of an offence punishable upon summary conviction, the police magistrate before whom such person is convicted may, if he thinks fit, instead of sentencing such boy to any other punishment, sentence him to be,

SESSION OF 1889 '90.

as soon as practicable, privately whipped with not more than eighteen strokes of a tamarind or other similar rod by a member of the police force, in the presence, if he desires to be present, of the parent or guardian of the boy.

24. Every police magistrate who under the last preceding section of this Act sentences a boy to be whipped, shall have and may exercise the same power to order him to be sent to the school, as he would have had and might have exercised, if he, instead of sentencing such boy to be whipped, had sentenced him to be imprisoned.

Magistrate may in addition to whipping order boy to be sent to the School.

25. Every order of a police magistrate under section twenty three of this Act shall specify the number of strokes to be inflicted.

Order to specify number of strokes.]

26. Nothing in section twenty three of this Act contained shall render punishable for an offence, any boy who is not, in the opinion of the police magistrate before whom he is charged, above the age of seven years and of sufficient capacity to commit crime.

Section 23 not to apply to boy under 7 and not of capacity to commit crime.

Removal to the school of boys to be there detained.

27. The keeper or other person in charge of any prison having in his custody any boy sentenced under section nineteen of this Act to be sent to the school, shall at the appointed time deliver such boy into the custody of the superintendent or other person in charge of the school together with the warrant or other document in pursuance of which such boy was imprisoned and is sent to the school.

Boy sentenced under section 17 to be delivered with warrant to Superintendent or person in charge of school.

28. Any order of a magistrate, under this Act sending a boy to the school shall be in writing signed by the magistrate and shall specify the time for which the boy is to be detained in the school, being such time as to

Order of Magistrates specifying period of detention to be in writing and signed.

LAWS OF BARBADOS.

the magistrate seems proper for the teaching and training of the boy, but not in any case extending beyond the time when the boy will attain the age of sixteen years.

Order to be forwarded to Superintendent with boy.

29. Every such order as mentioned in the last preceding section of this Act shall when made, be forwarded to the superintendent or other person in charge of the school together with the boy to whom such order relates.

Governor in Committee to make arrangements for provisions of sections 27 and 29.

30. The Governor-in-Executive Committee shall from time to time make such arrangements as may be necessary for carrying out the provisions of sections twenty seven and twenty nine of this Act.

Possession of warrants or order, under sections 27 and 28 sufficient for conveying to and detention in School.

31. The possession of any such warrant or order as is mentioned in sections twenty seven and twenty eight of this Act shall be a sufficient authority for the conveyance to and detention in the school, of the boy to whom such warrant or order relates.

License to live out of school and apprenticeship.

Superintendent with approval of Governor in Committee to license boy to live with trustworthy person.

32. The superintendent of the school may at any time after the expiration of eighteen months of the period of detention allotted to a boy and with the approval of the Governor-in-Executive Committee by license under his hand permit such boy to live with any trustworthy and respectable person, named in the license, who is willing to receive and take charge of him ; and may in such license with such approval as aforesaid, insert any such conditions as he thinks fit as to the employment of the boy to whom such license relates.

License not to be for more than 3 months but may be renewed.

33. Any license granted under the preceding section of this Act shall not be in force more than three months, but may at any

SESSION OF 1889-'90.

time before the expiration of such three months be renewed, (with the approval of the Governor in Executive Committee,) for a further period not exceeding three months, to commence from the expiration of the previous period of three months and so from time to time until the period of detention of the boy to whom such license relates has expired.

34. Any license granted or renewed under section thirty two or thirty three of this Act may with the approval of the Governor in Executive Committee, be revoked by the superintendent of the school by writing under his hand at any time before the expiration of the period for which the same would otherwise remain in force and thereupon the boy to whom the license related may be required by the superintendent by writing under his hand to return to the school.

Superintendent with approval of Governor in Committee may revoke license.

35. The time during which a boy is absent from the school in pursuance of a license granted or renewed under section thirty two or thirty three of this Act, shall, (except where such license has been forfeited by his misconduct), be deemed to be part of the time of his detention in the school and at the expiration of the time fixed by his license or renewed license he shall be taken back to the school.

Period of license counted as part of detention at the School.

36. Any boy escaping from the person with whom he is placed in pursuance of section thirty two or refusing to return to the school at the expiration of the time fixed by his license or renewed license, or when required to do so on the revocation of his license, shall be liable to the same penalty as if he had escaped from the school itself.

Penalty on escaping from person with whom placed or refusing to return to School at expiration of license

LAWS OF BARBADOS.

Power of superintendent with approval of Governor-in-Committee to apprentice boy.

37. The superintendent of the school with the approval of the Governor-in-Executive Committee may at any time after a boy has been placed out on license as aforesaid, if he conducts himself well during his absence from the school, bind him, with his own consent apprentice to any trade, calling, or service, notwithstanding that his period of detention has not expired, and every such binding shall be valid and effectual to all intents.

Apprenticeship out of the Colony of Reformatory and Industrial school boys

38. The superintendent of the school, at any time after the expiration of eighteen months of the period of detention allotted to a boy may with the approval of the Governor-in-Executive Committee and with the consent of the said boy and with or without the consent of his parent by indenture under hand and seal bind the said boy to perform such work, labour, or service for such person in such British colony or possession on such terms and subject to such conditions as are respectively named and specified in the said indenture, for any period not exceeding three years determinable as hereinafter in this Act mentioned.

Provisions which every indenture shall contain.

39. Every indenture entered into under this Act shall after approval of its terms by the Governor-in-Executive Committee be executed by the superintendent of the Reformatory, by the boy to whom it relates, and by the person such boy agrees to serve; and shall contain provisions to the following effect, namely;

- (1) a provision binding the boy to do and render the work, labour and services of the nature and extent therein described.
- (2) a provision binding his employer to

SESSION OF 1889'90.

- pay him the rate of remuneration or wages therein specified, and also to supply him free of charge, with food, lodging and clothing, and with medical aid and medicine whenever necessary.
- (3) an agreement that (so far as the object can be effected by agreement between the parties) the indenture shall be enforceable and proceedings may be taken in respect of any breach thereof in the magisterial or Petty Debt Courts of the district of the colony to which the boy is going; provided always that the court to which any complaint is made by either party to such indenture may in lieu of enforcing the same terminate the contract on such terms as it thinks best.
 - (4) a provision binding the employer to furnish the superintendent of the Reformatory with any information as to the condition of the boy which may be asked for by the said superintendent in person or by letter and to permit the superintendent or any person authorised in writing by him to visit the boy at any time during the day on giving the employer twenty four hours previous notice of the intended visit.
 - (5) a statement of the duration of the contract.

40. The time during which a boy is absent from the school under an indenture made under this Act, shall, (except where such indenture has been terminated owing to his misconduct) be deemed to be part of the time of his detention in the school, and at the expiration of the time for which such

Period passed under indenture deemed part of term of detention at school.

LAWS OF BARBADOS

indenture is made he shall if his term of detention has not expired be taken back to the school; provided that no boy shall be detained beyond the age of twenty one years.

Punishment of boys under indenture found in Barbados before the expiration of their term of indenture.

41. If any boy indentured under section thirty eight of this Act is found in Barbados without lawful excuse before the expiration of the term of his indenture he shall be deemed to have escaped from the school and be liable to the same penalty as if he had so escaped.

Expenses of outfit under this Act.

42. All sums needed for the outfit of any boys emigrating under this Act shall be furnished out of the sums voted on the annual estimates for the upkeep of the Reformatory.

Offences in relation to the school.

Neglecting or refusing to conform to the rules of the school.

43. If any boy detained in the school willfully neglects or wilfully refuses to conform to the rules thereof he may for every such offence be ordered by the superintendent to be whipped with a birch or tamarind rod or suitable cane, the punishment not to exceed eighteen stripes, or to be kept in solitary confinement for such period not exceeding five days as the Governor-in-Executive Committee may by any regulation determine; such period of confinement shall not be computed as part of the boy's time of detention. But no such order shall be carried out unless approved of by the Governor who shall have power to alter, vary or annul the superintendent's order; provided always that for maintaining discipline during school hours the schoolmaster may with the approval of the superintendent inflict not more than six stripes with a cane or slender rod, and provided also that any boy ordered

SESSION OF 1889' 90.

by the superintendent to be punished may be kept separate from the other boys until the Governor's will in the matter is communicated to the superintendent.

44. If any boy sentenced or ordered to be detained in the school escapes therefrom, he may at any time before the expiration of his period of detention be apprehended without warrant, and if the superintendent of the school think fit, but not otherwise, may, (any other Act to the contrary notwithstanding), be then brought before the magistrate of the parish in which he is found or of the parish in which the school is situate; and he shall thereupon be liable on summary conviction to be whipped not exceeding twenty four stripes with a rod, and he shall be brought back to the school there to be detained during a period equal to so much of his period of detention as remained unexpired at the time of his escaping.

Power to apprehend boy escaping from School.

Punishment for escaping.

45. Any person who commits any of the following offences, (that is to say);

Offences against this Act.

(1.) knowingly assists, directly or indirectly, a boy detained in the school to escape therefrom;

(2.) directly or indirectly induces such boy to escape from the school;

(3.) knowingly harbours, conceals or prevents from returning to the school or assists in harbouring, concealing or preventing from returning to the school any boy who has escaped therefrom; shall, on summary conviction before a magistrate, be liable to a penalty not exceeding five pounds, or at the discretion of the magistrate, be imprisoned with or without hard labour for any term not exceeding two months.

LAWS OF BARBADOS

Discharge of boys from the school.

46. A boy who has been sent to the school under sections twenty one or twenty two of this Act, shall not after he has attained the age of sixteen years be detained in the school except with his own consent in writing.

47. The Governor may at any time order any boy to be discharged from the school either unconditionally or on terms to be stated in the order for his discharge.

Expenses and earnings of the school.

48. The guardians of the poor of any parish from which a child is sent to the Reformatory and Industrial School under section twenty one of this act shall pay to the superintendent of the Reformatory on the first day of each month a sum equal to the rate of one shilling per week for the maintenance of such child at the school during the preceding month.

49. The parent or step-parent or other person legally liable to maintain any boy detained in the school shall, if of sufficient ability, contribute to his support and maintenance therein a sum not exceeding two shillings per week, and in determining the legal liability of any such parent or step-parent or other person under this section, common reputation as to the relationship existing between such persons and the boy shall be sufficient.

50. On the complaint of the superintendent of the school or of any police officer at any time during the continuance of any boy in the school the magistrate having jurisdiction at the place where the parent, step-parent or other person liable to main-

After 16 boy not to be detained without his consent in writing.

Governor may order discharges unconditionally or on terms.

Payment to be made under sec. 20 of the principal Act fixed at one shilling per week.

Parent or step-parent liable for maintenance.

On complaint Magistrate to enquire into ability to maintain.

SESSION OF 1889-90.

tain such boy resides, may on summons to the parent or step-parent or other person liable as aforesaid examine into his or her ability and may if he think fit make an order on him or her for the payment to the superintendent of the school or to any agent appointed by him in writing of such weekly sum, not exceeding two shillings per week as to him seems reasonable during the whole or any part of the period for which the boy is liable to be detained in the school, and in default of payment the same shall be recovered by the superintendent as in the case of servants' wages. The expression superintendent, or superintendent of the school in this section and in section fifty two shall be deemed to mean and include any agent authorised by him in writing.

Order to maintain not to exceed 2/- per week.

51. Every such order as is mentioned in the last preceding section of this Act may specify the time during which the payment is to be made or may be until further order.

Order may specify time of payment.

52. Any magistrate having jurisdiction to make such order as is mentioned in sections fifty and fifty one of this Act may from time to time vary the same as circumstances require on the application either of the person on whom the order is made or of the superintendent of the school on fourteen days notice of such application being first given to the superintendent of the school or to such person as the case may be.

Magistrate may vary order.

53. The Governor may in his discretion remit all or any part of any payment ordered to be made under section fifty of this Act.

Governor may remit payment or part

54. All sums of money received by the superintendent of the school under orders made in accordance with section fifty

Monies under orders &c., paid into Treasury.

LAWS OF BARBADOS.

of this Act, and all sums of money realized by the sale of the produce of the lands of the said plantation, shall be paid at the end of each month into the public treasury to the credit of the general revenue.

Accounts to be audited.

55. The accounts of the school shall at all times be open to the inspection of the Auditor General, who is hereby required to audit the same annually.

Conditional pardons.

Governor may commute any sentence by ordering boy to be sent to the school.

56. Where before or after the passing of this Act a boy has been or is sentenced to transportation, penal servitude or imprisonment, and such boy is pardoned by the Governor on condition of his going to the school, the Governor may direct him if under the age of sixteen years, to be sent to the school and thereupon such boy shall be deemed to be subject to all the provisions of this Act as if he had been originally sentenced to detention in the school.

Exemption from attending school.

Boys after passing an examination of standard 4 need not attend school.

57. After any boy has passed an examination of the fourth standard prescribed by the Rules and Regulations for public Elementary Schools such boy may be employed at work during school hours in lieu of attending school.

Legal proceedings and evidence.

"Justices of the Peace Procedure Act 1860" applicable to this Act.

58. "The Justices of the Peace Procedure Act, 1860," shall apply to all offences, payments and orders in respect of which jurisdiction is given to a magistrate by this Act or which are directed to be prosecuted enforced or made in a summary manner, or upon summary conviction.

SESSION OF 1889-'90.

59. The production of the order, warrant or other document by or in pursuance of which a boy is directed to be sent to the school with a statement endorsed thereon, or annexed thereto, purporting to be signed by the superintendent or other person in charge of the school to the effect that the offender therein named was duly received into and is at the date of the signing thereof detained in the school, or has been otherwise dealt with according to law, shall in all proceedings relating to such boy be evidence of the identity of, and of the due making of the order for the detention of and of the subsequent detention of the boy named in the order, warrant or other document, so produced.

Production of order &c, to be sufficient evidence in respect of boys sent to the school.

60 In all proceedings taken before a police magistrate under this Act, such proceedings and evidence shall be taken in writing and the depositions of the witnesses shall be read over to and signed by them.

Proceedings under Act to be in writing and depositions signed.

61. A copy of the rules and regulations of the school purporting to be made in Executive Committee and to be signed by the Clerk of the Executive Committee, shall be evidence of such rules and regulations in all legal proceedings whatever.

Copy of rules signed by Clerk of Committee to be evidence in all legal proceedings.

Repeal.

62. The several Acts mentioned in the schedule to this Act are hereby repealed ; provided always that such repeal shall not affect

Repeal and Savings.

1. The past operation of the enactments hereby repealed, nor anything done or suffered under the enactments hereby repealed ; nor

LAWS OF BARBADOS

2. any right, privilege, obligation, or liability acquired, accrued, or incurred under the enactments hereby repealed ; nor
 3. any penalty, forfeiture, or punishment incurred in respect of any offence committed against the enactments hereby repealed ; nor
 4. any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture, or punishment as aforesaid, and any such investigation, legal proceeding or remedy may be carried on as if this Act had not passed.
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SESSION OF 1889-'90.

SCHEDULE.

Date of Act.	Title of Act.	Extent of Repeal.
3rd April 1883....	An Act to provide for the establishment regulation and maintenance of a Reformatory and Industrial School.....	The whole Act.
21st May 1887.....	An Act to amend "The Reformatory and Industrial Schools Act, 1883.".....	The whole Act.
11th April 1888....	An Act to amend "The Reformatory and Industrial Schools, Act, 1883."	The whole Act.
29th November 1888	An Act to amend "The Reformatory and Industrial Schools Act, 1883, Amendment Act, 1888."	The whole Act.

LAWS OF BARBADOS

CAP. LX.

(Assented to 28th October, 1890.)

BARBADOS.

An Act to amend the Barbados Railway Company Act.

WHEREAS the Barbados Railway Company have by their humble petition to the Legislature of this Island prayed that an Act may be passed to exempt the said Company from payment of all duties and imposts on materials imported for the renewals of its permanent way and rolling stock, and for the efficient maintenance of the same, and have in their said petition set forth grounds in support of such prayer; And Whereas it is deemed expedient to grant such prayer to the extent hereinafter specified; Be it therefore enacted by the Governor, Council and Assembly of this Island, and by the authority of the same, as follows;

1. From and after the passing of this Act
 Exemption from all machinery, locomotives, carriages,
 duty of machinery &c., imported for trucks, iron or steel rails, or manufactured
 the use of the Barbados Railway Company. iron work imported for the use of the
 Barbados Railway Company are hereby
 exempted from the payment of all duties
 and imposts.

2. Upon the production of a certificate
 signed by the Manager of the said Company,
 Certificate to be given to the Comptroller of Customs
 and countersigned by the Secretary setting
 forth that the articles so intended to be
 by the Manager of the Company. passed are for the use of the Barbados
 Railway Company, the Comptroller of Customs shall pass the same through the Customs free of all duties and imposts.

SESSION OF 1889-'90.

CAP. LXI

(Assented to 28th October 1890.)

BARBADOS.

An Act to prevent the taking capture or destruction of fish in or within the jurisdiction of this Island by the use of dynamite or other explosive.

WHEREAS it is deemed advisable to prevent the taking, capture or destruction of fish in or within the jurisdiction of this Island by the use of dynamite or other explosive; Be it therefore enacted by the Governor, Council and Assembly of this Island and by the authority of the same, as follows;

1. No person shall in or within the jurisdiction of this Island use dynamite or other explosive for the taking, capture or destruction of fish, and any person who shall be convicted by any police magistrate of having committed any offence under this Act shall be liable to a penalty not exceeding five pounds, exclusive of costs, or in default of payment thereof within such time as the magistrate shall specify, be committed to prison with or without hard labour for any period not exceeding one month.

Fish not to be taken or destroyed by the use of dynamite or any other explosive.

Penalty.

2. Any person found committing any offence punishable under this Act may be taken into custody without a warrant, by any police officer or other constable.

Offender may be arrested without warrant.

3. Any complaint for an offence committed against the provisions of this Act may be laid before any police magistrate by any police officer or constable or by any other person.

Prosecution of offences.

LAWS OF BARBADOS

- Jurisdiction of Police Magistrates** 4. For the purposes of this Act the jurisdiction of the several Police Magistrates of the Island shall extend seaward to a distance of three miles from the coast of the Island.
- Appropriation of penalties.** 5. Every penalty imposed and recovered under this Act shall be paid one half to the prosecutor and the other half into the public treasury for the use of the Island.

CAP. XLII

(Assented to 28th October, 1890.)

BARBADOS.

An Act to provide pensions for Public Officers.

BE it enacted by the Governor, Council and Assembly of this Island, and by the authority of the same as follows:

Preliminary.

- Short title.** 1. This Act may be cited as "The Pension Act 1890.
2. The term "public officer" shall mean and include.
- Meaning of term. "Public Officer."** (1) every person however appointed who receives the salary or allowance attached to his office from the public treasury.
- (2) The Actuary and clerks of the Savings Bank, and
- (3) every person appointed by the Governor to an office paid by fees, or whose appointment to such office is subject to the Governor's approval, and whose office is not of a parochial nature.
- Public Officers to whom the Act does not apply.** 3. (1) This Act shall not apply to any public officer the annual salary and emoluments of whose office is less than fifty pounds or, subject and without prejudice to section four here-

SESSION OF 1889-'90.

of, to any public officer to whom any pension, allowance, or gratuity can be or has been under any existing law granted by the Government on his retirement: but a pension may be granted hereunder to any public officer who may within twelve months immediately prior to the passing hereof have retired from the service of the crown in this Island and not be entitled under any permanent law to a pension.

(2.)—Every rector, vicar and curate of the Anglican Church in this Island shall come under the operation of this Act, and "The Incumbent's Resignation Act, 1889," so far as the same is inconsistent with this Act is hereby repealed. Rectors &c., to come under it.

4. Any officer whose salary is now liable to deductions under "The Superannuation Act 1870," shall have the option of coming under Part I or II of this Act, but must exercise such option within six months after the passing hereof. If any such officer shall declare his desire to come under this Act the sum contributed by him to the Superannuation Fund shall be returned to him. Officers under The Superannuation Act 1870 to have the option of coming under this Act.

PART I.

Officers now serving in this Island.

5. Subject to the provisions hereinafter in this Act contained, public officers now serving in this Colony shall on retiring from the service of the Crown receive an annual pension payable out of the public treasury on the warrant of the Governor-in-Executive Committee by equal monthly instalments. Public Officers now serving in the Colony entitled to a pension on retirement.

6. The amount of the pension receivable by any public officer shall be for every year of service in this Island, one fiftieth of the Mode in which amount of such pension is to be computed.

LAWS OF BARBADOS

average annual amount received by the retiring officer from any office or offices held by him for the five years immediately preceding his ceasing to serve in this Island, or (in case) of any officer who has not served in this Island for five years) of the average annual amount received by such officer from any office or offices held by him for his years of service in this Island; provided always that in the case of any office wholly or in part paid by fees, the average annual amount received by the holder thereof for the aforesaid period shall, for the purposes of this section, be the amount obtained by taking the average annual net profits of the office for the twenty years preceding the year in which the officer retires; and provided also that in calculating the amount of any pension not more than twenty five years of service shall in any case be taken into consideration, and the term of service reckoned must in all cases have been continuous, except in any case where the Governor-in-Executive Committee shall be satisfied that the health of any public officer had been broken down in the exercise of his employment in the public service, and had left the same, but afterwards re-entered it, in which case the former period of time he was in such service shall be counted in computing any pension to be given him.

Condition to be
fulfilled before a
pension be given.

7. No public officer shall on retirement receive a pension under the preceding sections of this Act unless.

(1) He has been in the service of the Crown for a period of not less than ten years and

(2) a. he has attained the age of sixty at the time of his retirement, or

SESSION OF 1889-'90.

b. proves to the satisfaction of the Governor-in-Executive Committee that he is permanently incapacitated either in mind or body or both, for discharging his official duties, and that such incapacity is not due to his own misconduct.

8. No public officer who is dismissed from the Service shall be entitled to a pension under the preceding sections of this Act. No pension claimable by an Officer who is dismissed.

9. Any public officer now serving in this Island shall have the option of coming under Part I or under Part II of this Act, but such option must be declared within six months after the passing of this Act. Option of coming under Part II granted to existing Officers.

PART II.

Officers first serving hereafter in this Island.

10. Every public officer hereafter obtaining an office in this Island, shall be required to effect a policy of Assurance on his life on the Endowment System, and to keep on foot and (if need be) increase the same in accordance with the provisions hereinafter in this Act contained. Officers hereafter first serving in the Island required to assure their lives.

11. The sum assured by such policy shall be equal to three times the amount of the annual pay and emoluments of the office or offices held by such officer, and on each occasion of such officer's being promoted to an office or offices of higher value, the sum assured shall be increased so as to bear the same ratio to the annual value of such new appointment as the sum originally assured bore to the annual value of the office or offices first held, unless such officer is unable on such promotion to pass the medical examination required before the amount assured can be increased. Sum for which assurance is to be effected.

LAWS OF BARBADOS

Term for which policy is to run.

12. Every such policy shall be effected for a term not less than that which must intervene between the date of effecting the policy and the date when the person assured will attain sixty years, provided he so long lives the amount assured being payable on the expiration of that period or on the death of the person assured whichever event first happens.

Payment of premiums thereon.

13. One half of the annual premium payable in respect of every such policy shall be paid out of the public treasury so long as the officer thereby assured holds any office in this Island.

Office in which policy is to be taken.

14. The Governor-in-Executive Committee shall in every case determine the Life Assurance Office in which the policy is to be taken.

Policy to be vested in the Governor for the time being.

15. Every policy of assurance effected under this Act shall be vested in the Governor for the time being, and shall so long as the Government retains any interest therein, remain so vested and on any change of Governors, no assignment shall be necessary to transfer the same to and vest it in the Governor taking office.

Rights of such Officer on retirement (1) while in this Island and after the end of the endowment period.

16. If any public officer so assured continues on service in this Island until he retires from the service of the Crown and retires from such service after the termination of the endowment period, the amount assured by his policy and all accumulations thereon by way of bonus or otherwise, shall be paid to him.

(2) While in this Island but before the end of the endowment period from incapacity.

17. If any public officer so assured continues on service in this Island until he retires from the service of the Crown, but owing to permanent incapacity of mind or body or, both for discharging his official

SESSION OF 1889'-90.

duties, retires from such service before the termination of the endowment period, he shall have the option of receiving the full surrender value of the policy effected by him, or of having the policy assigned to him by the Governor for the time being, and in the event of such assignment being made, no part of the premium payable thereafter on such policy shall be payable out of the public treasury; or he may elect to take a pension under Part I of this Act, provided he complies with section seven hereof, and if he receives a pension thereunder he shall cease to have any claim on the policy effected by him, and on the moneys secured thereby and to be under any liability in respect of the premium payable thereon, but such option must be declared within six months after he is so incapacitated and retire from his office.

18. If any public officer so assured continues on service in this Island until he retires from the service of the Crown and retires from such service before the termination of the endowment period for any other reason than that mentioned in the last preceding section of this Act, one half of the surrender value of the policy effected by him shall be paid to him on his retirement.

(3) While in this Island but before the end of the endowment period owing to any cause other than incapacity.

19. If any public officer so assured leaves this Island to go elsewhere in the service of the Crown, he shall have the option of taking the full surrender value of the policy effected by him or of having the policy assigned to him by the Governor for the time being, and in the event of such assignment being made, no part of the premium payable thereafter on such policy shall be payable out of the public treasury.

Rights of such Officer on leaving this Island without retiring.

LAWS OF BARBADOS

Rights of such Officer on dismissal. 20. If any public officer so assured is, while in the Island, dismissed from the service of the Crown, he shall be paid one half of the surrender value at the date of his dismissal of the policy effected by him, and shall cease to have any further claim on such policy.

Provision for future Officers who are unable to pass the medical examination required for insurance. 21. If any public officer hereafter obtaining an office in this Island is unable to effect an assurance on his life owing to being unable to pass the necessary medical examination, an amount equal to that of the annual premium which would have been payable on any assurance effected by him under this Act, shall be annually deposited in the Savings Bank in the names of the Governor and Colonial Treasurer, and the amount of such annual deposits with the accumulations thereon at compound interest shall in all respects be treated and dealt with under the foregoing provisions of this Act, as if the same were the sum assured or the surrender value of a policy as the case may be, mentioned in those sections, and the amount annually so deposited in the Savings Bank shall be contributed in equal proportions by such public officer and the public treasury, and one twelfth of the proportion to be contributed by such public officer shall be deducted monthly by the Colonial Treasurer from the salary payable to such public officer.

Power for Colonial Treasurer to deduct the part of the premiums payable by any Officer from his salary. 22. It shall be lawful for the Colonial Treasurer if on any occasion the part of the annual premium payable by any public officer is not paid by him, to pay the same and to deduct the amount so paid from the next payment or payments in respect of salary to be made to such officer.

SESSION OF 1889-'90.

23. For the purposes of sections eleven and twenty one of this Act, the annual value of an office wholly or in part paid by fees, shall be the average annual net profits thereof for the twenty years immediately preceding the year in which its value is required to be ascertained. Mode of calculating annual value of an office paid by fees.

24. This Act shall not come into operation unless and until the officer administering the Government notifies by proclamation that it is Her Majesty's pleasure not to disallow the same, and thereafter it shall come into operation upon such day as the officer administering the Government shall notify by the same or any other proclamation. Suspending section.

CAP. LXIII.

(Assented to 28th October 1890.)

BARBADOS.

An Act to exempt all machinery, and apparatus respectively imported by The Greenland Industries Company, Limited and any other Company or person, for the purpose of manufacturing bricks, tiles, cement, pipes, and other articles of the like nature, from the payment of all duties and imposts of every kind.

WHEREAS The Greenland Industries Company, Limited, have presented their humble petition to the Legislature praying, for the reasons set forth in the said petition, that all machinery, materials and apparatus from time to time imported by the said Company for the purpose of manufacturing bricks, tiles, cement, pipes

LAWS OF BARBADOS

and other articles of the like nature, and for renewing the same as it shall from time to time become worn and useless, shall be exempted from the payment of all duties and imposts of every kind ; And Whereas it is deemed expedient to grant the prayer of the said petition to the extent hereinafter specified and to extend the like advantage to all other Companies and persons who may import the like machinery and apparatus ; Be it therefore enacted by the Governor Council and Assembly of this Island and by the authority of the same, as follows ;

Exemption from duty of machinery &c.. imported for the manufacture of bricks &c.,

1. All machinery, and apparatus from time to time imported into this Island by the said Company, or by any other Company or person for the purposes aforesaid, shall be exempted from the payment of all duties and imposts of every kind.

CAP. LXIV.

(Assented to 28th October, 1890.)

BARBADOS.

An Act to consolidate the Acts relating to the recovery of small debts.

BE it enacted by the Governor, Council and Assembly of this Island, and by the authority of the same as follows ;

Short title.

Short title

1. This Act may be cited as " The Petty Debt Act, 1890."

PART I.

Courts, Judges, and Officers.

Rural Police Magistrates and Judges

2. The several Police Magistrates presiding in the rural Petty Debt Courts of this

SESSION OF 1889-'90.

Island shall be termed the Judges thereof ; of Petty Debt Court and they and the Judge of the Petty Debt Court for the City of Bridgetown shall have jurisdiction as is hereinafter provided.

3. The Governor shall from time to time appoint some fit and proper person to be the Judge of the Petty Debt Court of Bridgetown and such Judge shall hold a Court daily from the hour of ten of the clock in the forenoon to the hour of four of the clock in the afternoon, or on such days and during such hours as the Governor-in-Executive Committee may from time to time appoint. Provided always that it shall not be obligatory on the said Judge to hold a Court on Good Friday, Christmas, Day, Sundays, or any day appointed by proclamation for a public fast, humiliation, or thanksgiving, or at any time when there shall not be any business before his Court.

Governor to appoint Judge of Petty Debt Court of Bridgetown.

Sittings of Court to be daily.

Proviso.

4. The Judge of the Petty Debt Court of Bridgetown shall be paid the sum of four hundred pounds yearly.

Salary.

5. The Petty Debt jurisdiction of the parish of Saint Michael shall be vested in the Judge of the Petty Debt Court of the City of Bridgetown.

Petty Debt Court of Bridgetown to be Petty Debt Court for St. Michael.

6. Carlisle Bay shall form part of the district within and throughout which the Judge of the Petty Debt Court of the City of Bridgetown has the jurisdiction of a Petty Debt Court Judge, and it shall be lawful to execute in the said Bay all writs of the said Court.

Carlisle Bay declared to be within the Bridgetown Petty Debt Court jurisdiction.

7. Any Judge of a Petty Debt Court proposing to sue any person dwelling or carrying on business in any district of which he is the Judge, may bring his action in the Petty Debt Court of any adjoining district

How Actions to be brought where Judge is himself concerned.

LAWS OF BARBADOS.

and any person proposing to sue a Judge may bring his action in the Petty Debt Court of any adjoining district.

Governor to appoint Chief Clerk of the Petty Debt Court of Bridgetown 8. The Governor shall appoint some fit and proper person to be the Chief Clerk to the Petty Debt Court of Bridgetown, at a salary of two hundred pounds per annum, to be

His salary and securities.

paid from the public treasury, on the warrant of the Governor-in-Executive Committee; and the Clerk so appointed shall enter into bond to Her Majesty, her heirs and successors, himself in the sum of one thousand pounds and two sureties in the sum of five hundred pounds each, for the faithful discharge of the duties of his office and for the due accounting and payment of all moneys received by him as such Chief Clerk.

Chief Clerk to be Treasurer.

9. The Chief Clerk shall in addition to his other duties as Clerk be the Treasurer of the said Court, and he shall receive all moneys payable into the Bridgetown Petty Debt Court, account for pay and apply the same in accordance with the law.

Governor to appoint assistant Clerk, salary and securities.

10. The Governor shall appoint some fit and proper person to be the Assistant Clerk of the Petty Debt Court, at a salary of one hundred pounds per annum, to be paid from the public treasury on the warrant of the Governor-in-Executive Committee, and the said Assistant Clerk shall enter into bond to Her Majesty, her heirs, and successors, himself in the sum of two hundred pounds and two sureties in the sum of one hundred pounds each, for the faithful discharge of the duties of his office and for the due accounting and payment of all monies received by him.

SESSION OF 1889'-90.

11. The Governor shall appoint some fit and proper person to be the second Assistant Clerk of the Petty Debt Court of Bridge-town at a salary of fifty pounds per annum, to be paid from the public treasury on the warrant of the Governor in-Executive-Committee, and the said Assistant Clerk shall enter into bond to Her Majesty her heirs and successors, himself in the sum of one hundred pounds, and two sureties in the sum of fifty pounds each, for the faithful discharge of the duties of his office and for the due accounting and payment of all moneys received by him.

Governor to appoint second assistant Clerk.

Salary and securities.

12. The clerks to the Police Magistrates presiding in the rural Petty Debt Courts, shall be the clerks of such rural Petty Debt Courts, and shall severally enter into bond to Her Majesty, her heirs, and successors, themselves in the sum of fifty pounds each, and two sureties in the sum of twenty five pounds each, for the faithful discharge of the duties of their offices, and for the due accounting and payment of all moneys received by them under this Act.

Clerks to Police Magistrates to be clerks in rural Petty Debt Courts and to give security.

13. The clerk of every Court holden under this Act shall make a note of all complaints and summonses, and all orders, and of all judgments and executions, and returns thereto, and of all fines, and of all other proceedings of the Court, and fairly enter the same from time to time in a book, belonging to the Court, which shall be kept at the office of the Court; and such entries in the said book, or a copy thereof signed and certified as a true copy by the clerk of the Court, shall at all times be admitted in all Courts and places whatsoever as evidence of such entries, and of the proceedings refer-

Record book to be kept of all business by clerk.

And certified copy of entry in said book to be received in evidence.

LAWS OF BARBADOS

red to by such entry or entries, and of the regularity of such proceedings without any further proof.

How action to be brought where officers of the Court are concerned.

14. If an action be brought by an officer of a Petty Debt Court in the Court of which he is an officer, the Judge shall, at the request of the defendant, order that the venue be changed ; and that the cause be sent for hearing to the Court of some convenient district, of which he is not the Judge ; and the clerk of the first mentioned Court shall forthwith transmit by post to the clerk of such last-mentioned Court a certified copy of the plaint, as entered in the plaint-book, the duplicate copy of the summons and particulars served on the defendant, and a certified copy of the order for changing the venue, as entered in the minute book ; and the Judge of such last mentioned Court shall appoint a day for hearing ; notice whereof shall be sent by post or otherwise by the clerk of such last mentioned Court to both parties.

Where summons may issue.

15. If an action be brought against an officer of a Petty Debt Court, the summons may issue in the district of which he is an officer, or in any adjoining district, the Judge of which is not the Judge of the Court of which the defendant is an officer.

Penalty for assaulting a writ officer in execution of his duty.

16. If any officer or writ officer of any Court shall be assaulted while in the execution of his duty, or if any rescue shall be made or attempted to be made of any goods levied under process of the Court, the person so offending shall be liable to a fine not exceeding five pounds to be recovered, as in the case of servants' wages, and paid into the public treasury for the uses of the Island.

SESSION OF 1889-'90.

17. In case any writ officer of any Court who shall be employed to levy any execution against goods and chattels shall, by neglect or connivance, or omission, lose the opportunity of levying any such execution, then upon complaint of the party aggrieved by reason of such neglect, connivance or omission (and the fact alleged being proved to the satisfaction of the Court on the oath of any credible witness) the Judge shall order such writ officer to pay such damages as it shall appear that the plaintiff has sustained thereby, not exceeding in any case the sum of money for which the said execution issued, and the writ officer shall be liable thereto, and upon demand made thereof, and on his refusal so to pay and satisfy the same, payment thereof shall be enforced by such ways and means as are herein provided for enforcing a judgment recovered in the Court.

Judge may order officer to pay damages sustained by his negligence &c.,

Amount of such damages.

Mode of enforcing payment thereof.

18. If any clerk, writ officer, or other officer of any Court, acting under colour or pretence of the process of the said Court, shall be charged with extortion or misconduct, or with not duly paying or accounting for any money levied by him under the authority of this Act, it shall be lawful for the Judge to inquire into such matter in a summary way, and for that purpose to summon and enforce the attendance of all necessary parties in like manner as the attendance of witnesses in any case may be enforced, and to make such order thereupon for the repayment of any money extorted or for the due payment of any money so levied as aforesaid; and for the payment of such damages and costs as he shall think just, and also, if he shall think fit, to impose

Judge may order officer guilty of extortion &c., to pay damages.

LAWS OF BARBADOS.

such fine upon the clerk, writ officer, or other officer, not exceeding ten pounds for each offence, as he shall deem adequate; and in default of payment of any money so ordered to be paid, payment of the same may be enforced by such ways and means as are herein provided for enforcing a judgment recovered in the said Court.

Mode of enforcing payment thereof.

Officer guilty of exaction &c., shall be incapable of serving and be liable to damages.

19. Every clerk, writ officer, or other officer employed in putting this Act or any of the powers thereof in execution who shall wilfully and corruptly exact, take or accept any fee or reward whatsoever, other than and except such fees as are or shall be appointed, and allowed respectively for or on account of anything done or to be done by virtue of this Act, or on any account whatsoever relative to putting this Act into execution shall, upon proof thereof before the Judge of the Court, and on allowance of the finding of the Judge by the Governor be forever incapable of serving or being employed under this Act in any office of profit or emolument, and shall also be liable for damages as in this Act before provided.

No action for trespass to be against officer executing warrant except in special cases.

20. No officer of a Petty Debt Court, in executing any warrant of such Court, and no person at whose instance any such warrant shall be so executed, shall be deemed a trespasser by reason of any irregularity or informality in any proceedings on the validity of which such warrant depends, or in the form of such warrant, or in the mode of executing it, but the party aggrieved may bring an action for any special damage which he may have sustained by reason of such irregularity or informality against the party guilty thereof, and in such action he

SESSION OF 1889-'90.

shall recover no costs unless the damages awarded shall exceed forty shillings.

21. The Judge of every Petty Debt Court shall, at the close of each day's proceedings in the Court, deliver to the clerk, to be filed in his office, the adjudicated cases, with award and costs distinctly stated in each, and it shall be the duty of such clerks to file the same.

Adjudicated cases to be filed at close of each day's proceedings.

22. All actions and prosecutions to be commenced against any person for anything done in pursuance of this Act, shall, unless otherwise provided, be laid and tried in the district where the fact was committed, and shall be commenced within three months after the fact committed, and not afterwards or otherwise; and notice in writing of such action or prosecution, and of the cause thereof, shall be given to the defendant one month at least before the commencement thereof; and no plaintiff shall recover in any such action if tender of sufficient amends shall have been made before action brought, or if after action brought a sufficient sum of money shall have been paid into Court, with costs, by or on behalf of the defendant.

Actions &c., where to be tried.

Notice in writing to be given to defendant.

23. In any action commenced against any person for anything done in pursuance of this Act, the production of the warrant under the seal of the Court shall be deemed sufficient proof of the authority of the Court previous to the issuing of such warrant, and in case the plaintiff shall have a verdict or judgment pass against him be nonsuit, or discontinue, the defendant shall in any such case be allowed his costs.

Plaintiff not to recover after tender of amends before action brought.

Production of warrant sufficient proof of authority previous to issue of warrant.

Costs.

PART II.

Jurisdiction and law.

24. The several Petty Debt Courts of Judges of Petty

LAWS OF BARBADOS

Debt Courts to have jurisdiction in all actions of debt not exceeding twenty pounds whether on balance of account or otherwise exceeding £20 and in all pleas of personal actions, where the damage claimed is not more than ten pounds and all such actions shall be tried in a summary way under this Act, and under the orders rules and regulations made under the authority of this Act; Provided always that the said Court shall not have cognizance of any action of ejectment or in which the title to any corporeal or incorporeal hereditaments, or to any franchise shall be in question, or in which the validity of any devise bequest or limitation under any will or settlement may be disputed, or for any malicious prosecution, or for any libel, or slander, or for criminal conversation, or for seduction or breach of promise of marriage.

Proviso.

Court may try actions for balance of debt not exceeding £20.

25. When the debt or demand claimed consists of a balance not exceeding twenty pounds, after an admitted set off of any debt or demand claimed or recoverable by the defendant from the plaintiff, the Court shall have jurisdiction to try such action.

PART III.

Procedure and trial.

Complaint to be entered by Clerk of Court.

26. On the application of any person desirous to bring a suit under this Act, the clerk of the Court shall enter into a book, to be kept for this purpose in his office, a plaint in writing, stating the names and the last known places of abode of the parties, and the substance of the action intended to be brought, every one of which plaints shall be numbered in every year, according to the order in which it shall be entered; and thereupon a summons, stating the substance

Summons issued.

SESSION OF 1889-'90.

of the action and bearing the number of the plaint in the margin thereof, shall be issued according to such form, and be served on the defendant so many days before the day on which the Court shall be holden at which the cause is to be tried, as shall be directed by the rules made for regulating the practice of the Court as hereinafter provided; and delivery of such summons to the defendant, or in such other manner as shall be specified in the rules of practice, shall be deemed good service; and no misnomer or inaccurate description of any person or place in any such plaint or summons shall vitiate the same, so that the person or place be therein described so as to be commonly known.

27. Such summons may without leave of the Court being first obtained issue in any district in which the defendant, or one of the defendants shall dwell or carry on his business at the time of the action brought; or in case of debts in the district in which the cause of action arose; or such summons may, by leave of the Court for the district, in any case, issue in the Court for the district in which the defendant or one of the defendants shall have dwelt or carried on his business, at some time within six calendar months next before the time of the action brought, or in which the cause of action arose. Where summons may issue.

28. On the day named in that behalf in any summons under this Act, the plaintiff shall appear either in person or by agent and thereupon the defendant shall be required to appear either in person or by his agent to answer such plaint; and an answer being made in Court, the Judge shall pro- Summary proceedings upon appearance of plaintiff and defendant.

LAWS OF BARBADOS

ceed in a summary way to try the case, and give judgment, without further pleading or formal joinder of issue.

Evidence stated in summons &c., only to be given by plaintiff on hearing.

29. Subject to the power of amendment conferred by this Act no evidence of any demand or claim shall be given by the plaintiff on the trial or hearing except such as shall be stated in the summons or other proceeding under this Act directed to be issued or taken.

Plaintiff may not divide his cause in which to bring two suits but may abandon any excess in order to bring his action under this Act.

30. It shall not be lawful for any plaintiff to divide any cause of action for the purpose of bringing two or more suits in any of the said courts, but any plaintiff having cause of action for more than twenty pounds in debt or more than ten pounds in other cause of action, for which a plaint might be entered under this Act, may abandon the excess, and thereupon the plaintiff shall, on proving his case recover to an amount not exceeding twenty pounds in debt, and ten pounds in other causes of action; and the judgment of the Court upon such plaint shall be in full discharge of all demands in such cause of action and entry of the judgment shall be made accordingly.

Defendant not to be allowed to set off any debt &c., without consent.

31. Subject to the power of amendment conferred by this Act, no defendant shall be allowed to set off any debt or demand claimed or recoverable by him from the plaintiff, or to set up by way of defence and to claim and have the benefit of infancy, coverture or any statute of limitations, or of his discharge under any statute relating to insolvent debtors or traders without the consent of the plaintiff unless the prescribed notice thereof shall have been given to the clerk of the Court; and in every case in which the practice of the Court shall require such

SESSION OF 1889-90.

notice to be given, the Clerk of the Court shall as soon as conveniently may be after receiving such notice, communicate the same to the plaintiff by the post, or by causing the same to be delivered at his usual place of abode or business; but it shall not be necessary for the defendant to prove on the trial that such notice was communicated to the plaintiff by the clerk.

32. An affidavit to be used in a Court may be sworn before any Judge without the payment of any fee or before any Justice of the Peace of this Island.

Affidavits may be sworn before any Judge without fee or before a Justice of the Peace.

33. In any action brought in any Petty Debt Court for a debt or liquidated money demand, the plaintiff may at his option cause to be issued a summons in the ordinary form or a default summons in the form or to the effect given in the schedule to this Act and if such last mentioned summons be issued it shall be personally served on the defendant, and if the defendant shall not within six days after service of the summons, inclusive of the day of service, give notice in writing, signed by himself or his Solicitor, to the Clerk of the Court from which the summons issued, of his intention to defend, the Judge, shall at the expiration of such six days upon an affidavit being filed in the office of the Clerk sworn to before a Justice of the Peace, of the due service of such summons enter up judgment against the defendant for the amount claimed and costs.

In respect of certain demands defendant to give notice of intention to defend on pain of judgment by default.

34. Where personal service cannot be effected, and the Court is satisfied by affidavit sworn to before a Justice of the Peace, that reasonable efforts have been made to effect such service, and either that the sum-

Proceedings where personal service of the default summons cannot be effected.

LAWS OF BARBADOS

mons has come to the knowledge of the defendant, or that he wilfully evades service of same it shall be lawful for the Court to order that a copy of such summons shall be left at the last known place of abode of the defendant, and at the expiration of six days after such summons shall have been so left inclusive of the day of leaving the same, should the defendant not have given notice of his intention to defend, as hereinbefore mentioned, the Court upon proof by affidavit sworn before a Justice of the Peace of the summons having being left at the defendant's last known place of abode, shall enter judgment for the amount claimed and costs.

Orders on judgment by default.

35. The order upon the judgment to be entered up under the last two preceding sections shall be for payment forthwith, or at such time or times, and by such instalments if any, as the plaintiff or his attorney shall in writing have consented to take at the time of the entry of the plaint or of the judgment, and execution shall issue upon such judgment in the same manner as executions issuing upon judgments recovered in open Court.

Execution of such judgments.

Proceedings where notice of defence is given.

36. Where the defendant shall have given notice of defence, the Clerk shall immediately upon the receipt of such notice, send a letter to the plaintiff by post stating therein that the defendant has given notice of his intention to defend, and shall send by post to both plaintiff and defendant, notice of the day upon which he shall have fixed that the trial shall take place, at least six clear days before the day so fixed.

Power of Judge to amend proceedings.

37. The Judge of a Petty Debt Court may at all times amend all defects and errors in any proceeding in such Court, whether

SESSION OF 1889-90.

there is anything in writing to amend by or not, and whether the defect or error be of the party applying to amend or not; and all such amendments may be made with or without costs, and upon such terms as to the Judge may seem fit; and all such amendments as may be necessary for the purpose of determining in the existing suit the real question in controversy between the parties shall be so made, if duly applied for.

With or without costs.

38. If on the day of the return of any summons, or at any continuation or adjournment of the said Court, or of the cause for which the said summons shall have been issued, the plaintiff or his agent shall not appear, the cause shall be struck out; and if he or his agent shall appear, but shall not make proof of the demand to the satisfaction of the Court, it shall be lawful for the Judge to non-suit the plaintiff, or to give judgment for the defendant; and in either case, where the defendant shall appear and shall not admit the demand, to award to the defendant, in addition to costs, such further sum, not exceeding ten shillings, by way of satisfaction for his trouble and attendance, as the Judge in his discretion shall think fit; and such sum shall be recoverable from the plaintiff, by such ways and means as any debt or damage ordered to be paid by the same Court can be recovered, and from any such award for costs and satisfaction to a defendant as aforesaid an appeal shall lie as in the case of any other judgment of the Court. Provided always, that if the plaintiff or his agent shall not appear when called upon, and the defendant or some one duly authorised on his behalf shall appear and admit the cause of action to the full

Proceedings when plaintiff does not appear.

Proviso.

LAWS OF BARBADOS.

amount claimed, and pay the fees payable in the first instance by the plaintiff, the Court, if it shall think fit, may proceed to give judgment as if the plaintiff or his agent had appeared.

Proceedings when
defendant does not
appear.

Proviso.

39. If on the day so named in the summons, or at any continuation or adjournment of the Court, or cause in which the summons was issued, the defendant shall not appear, or sufficiently excuse his absence, or shall neglect to answer when called in Court, the Judge upon due proof of service of the summons, may proceed to the hearing or trial of the cause on the part of the plaintiff only, and the judgment thereupon shall be as valid as if both parties had attended: Provided always, that it shall be lawful for the defendant, if he shall think proper, to appeal as is hereinafter provided from such judgment, to the Assistant Court of Appeal, and such Court shall be and is hereby authorised on sufficient cause shown to direct a new trial, on such terms as to payment of costs, or giving security for the payment thereof, and of the debt, as it may think fit.

Bankruptcy &c.,
of plaintiff not to
cause action to
abate.

40. The bankruptcy or insolvency of the plaintiff in any action in any Petty Debt Court which the Official Assignee might maintain for the benefit of the creditors shall not cause the action to abate, but the same may be continued by the Official Assignee.

Executor can sue
and be sued.

41. It shall be lawful for any executor or administrator to sue and be sued in any Court holden under this Act, in like manner as if he were a party in his own right, and judgment and execution shall be such as in

SESSION OF 1889-'90.

the like case would be given or issued in any superior Court.

42. It shall be lawful for any person under the age of twenty one years to prosecute any suit in any Court holden under this Act for any sum of money not greater than twenty pounds, which may be due to him for wages or piece-work, or for work as a servant in the same manner as if he were of full age. Minor capable of suing.

43. Where any plaintiff shall have any demand recoverable under this Act against two or more persons jointly answerable it shall be sufficient if any of such persons be served with process ; and judgment may be obtained and execution issued against the person or persons so served notwithstanding that others jointly liable may not have been served or sued, or may not be within the jurisdiction of the Court ; and every such person against whom judgment shall have been obtained under this Act, and who shall have satisfied such judgment shall be entitled to demand and recover in the Court contribution from any other person jointly liable with him. Process where persons jointly answerable.

44. Any person against whom a plaintiff shall be entered in any Petty Debt Court, may if he think fit, whether he be summoned upon such plaint or not, in the presence of the clerk or assistant clerk of the Court in which such plaint shall have been entered or in the presence of a Solicitor, sign a statement confessing and admitting the amount of the debt or demand, or part of the amount of the debt or demand, for which such plaint shall have been entered, and such clerk or assistant clerk shall, as soon as conveniently may be after Defendant may confess the debt sued for or any part thereof and judgment shall be entered for the sum confessed without further proof.

LAWS OF BARBADOS

receiving such statement, send notice thereof to the plaintiff, by the post or by causing the same to be delivered at his usual place of abode or business, and thereupon it shall not be necessary for the said plaintiff to prove the debt or demand so confessed and admitted as aforesaid, but the Judge of such Court at the next sitting of such Court whether the parties or either of them attend such Court or not, shall upon proof by affidavit of the signature of the party, if such statement were not made in the presence of the clerk or assistant clerk, such affidavit being sworn to before a Justice of the Peace, proceed to give judgment for the debt or demand so confessed and admitted, in the same manner and subject to the same conditions as if he had tried the cause, and given judgment thereupon, under the provisions of this Act.

45. If the person against whom a plaintiff and defendant may agree as to amount of debt &c., and conditions of payment and judgment shall be entered up accordingly without further proof. shall be entered in any Petty Debt Court can agree with the person on whose behalf such plaintiff shall have been entered upon the amount of the debt or demand in respect of which such plaintiff shall have been entered and upon the terms and conditions upon which the same shall be paid or satisfied, it shall be lawful for such persons respectively in the presence of the clerk or assistant clerk of the Court in which such plaintiff shall have been entered, or in the presence of a Solicitor, to sign a statement of the amount of the debt or demand so agreed upon between such persons respectively, and of the terms and conditions upon which the same shall be paid or satisfied, and such clerk or assistant clerk shall receive such statement and shall thereupon, upon

SESSION OF 1889-'90.

proof by affidavit of the signature of the party, if such statement were not made in the presence of the clerk or assistant clerk, such affidavit being sworn to before a Justice of the Peace, enter up judgment for the plaintiff for the amount of the debt or demand so agreed on, and upon the terms and conditions mentioned in such statement, and such judgment shall to all intents and purposes be the same, and have the same effect, and shall be enforced and enforceable in the same manner, as if it had been a judgment of the said Court.

43. The Judge may in any case, with the consent of both parties to the suit, order the same, with or without other matters within the jurisdiction of the Court, in dispute between such parties to be referred to arbitration, to such person or persons, and in such manner, and on such terms as he shall think reasonable and just; and such reference shall not be revocable by either party, except by consent, of the Judge; and the award of the arbitrator or arbitrators or umpire shall be entered as the judgment in the cause, and shall be as binding and effectual to all intents as if given by the Judge; provided that the Judge may, if he think fit, on application to him at the first Court held after the expiration of one week after the entry of such award, set aside any such award so given as aforesaid, or may with the consent of both parties aforesaid, revoke the reference, or order another reference to be made in the manner aforesaid: Provided that it shall be competent for either party to appeal to the Assistant Court of Appeal from any such award, entered as the judgment of the Court, just as

Arbitration in
certain cases.

LAWS OF BARBADOS

in the case of the judgment of any magistrate.

Judge may grant time.

47. Where a judgment has been obtained in a Petty Debt Court the Judge may order the amount of such judgment and the costs to be paid at such time or times, and by such instalments, if any, as he shall think fit, provided the whole time allowed shall not exceed six months.

Defendant may pay money into Court in satisfaction of demand.

48. It shall be lawful for the defendant in any action brought under this Act, within such time as shall be directed by the rules made for regulating the practice of the Court, to pay into Court such sum of money as he shall think a full satisfaction for the demand of the plaintiff, together with the costs incurred by the plaintiff up to the time of such payment: and notice of such payment shall be communicated by the clerk of the Court to the plaintiff by post or by causing the same to be delivered at his place of abode or business, and the said sum of money shall be paid to the plaintiff; but if he shall elect to proceed, and the plaintiff shall recover no further sum in the action than shall have been so paid into Court, the plaintiff shall pay to the defendant the costs incurred by him in the said action after such payment; and such costs shall be settled by the Court, and an order shall thereupon be made by the Court for the payment of such costs by the plaintiff.

Summons how obtained for witnesses, writings &c.

49. Either of the parties to the suit or any other proceeding under this Act, may obtain at the office of the clerk of the Court, summonses to witnesses to be served by one of the writ officers of the Court with or without a clause requiring the production of books, deeds, papers and writings in their posses-

SESSION OF 1889-'90.

sion or control, and in any such summons any number of names may be inserted.

50. Every person on whom any such summons shall have been served either personally or in such other manner as shall be directed by the general rules or practice of the Courts, and to whom at the same time payment or a tender of payment of his expenses, shall have been made on such scale of allowance as shall for the time being be in force under this Act and who shall refuse or neglect, without sufficient cause, to appear or to produce any books, papers, or writings required by such summons to be produced, and also every person present in Court who shall be required to give evidence, and who shall refuse to be sworn and give evidence, shall forfeit and pay such fine not exceeding fifty shillings, as the Judge shall set on him; and the whole or any part of such fine, in the discretion of the Judge, after deducting the costs, shall be applicable toward indemnifying the party injured by such refusal or neglect, and the remainder thereof shall be paid into the treasury for the uses of the public.

51. Any judge of a Petty Debt Court may upon application on affidavit by either party such affidavit being sworn to before a Justice of the Peace issue an order signed by him and under the seal of the said Court for bringing up before such Court any prisoner or person confined in any gaol, prison or place under any sentence or under commitment for trial or otherwise to be examined as a witness in any cause or matter depending, or to be inquired of or determined in or before such Court, and the person required by any such warrant or order to be brought before such court, shall be so

Penalty on witnesses not appearing or producing books after summons and after tender of payment of expenses.

Judge may issue warrant for bringing up a prisoner to give evidence.

LAWS OF BARBADOS

brought under the same care and custody and be dealt with in like manner in all respects as a prisoner required by any writ of habeas corpus awarded by any of Her Majesty's Supreme Courts of law to be brought before such Court to be examined as a witness in any cause or matter depending before such court is now by law required to be dealt with; provided always that the person having the custody of such prisoner or person shall not be bound to obey such order unless a tender be made to him of a reasonable sum for the conveyance of a proper officer or officers and of the prisoner or person in going to and returning from such Court.

Costs of action not otherwise provided for to be apportioned by Judge.

52. All the fees and costs of any action or proceeding in the Court, not herein otherwise provided for, shall be paid by or apportioned between the parties in such manner as the Judge shall think fit; and in default of any special direction shall abide the event of the action, and execution may issue for the recovery of any such fees and costs in like manner as for any debt adjudged in the said Court.

Court may award costs where cause is struck out for want of jurisdiction.

53. Whenever an action or suit is brought in any Petty Debt Court which the Court has no jurisdiction to try, the Court shall order the cause to be struck out, and shall have power to award costs in the same manner, to the same extent, and recoverable in the same manner as if the Court had jurisdiction in the matter of such plaint and the plaintiff had not appeared, or had appeared and failed to prove his demand.

Party suing in one Court after obtaining judgment

54. If any party shall sue another in any Petty Debt Court for any debt or other cause of action for which he hath already

SESSION OF 1889-'90.

sued him and obtained judgment in any other Court the proof of such former suit having been brought and judgment obtained may be given and the party so suing shall not be entitled to recover in such second suit and shall be adjudged to pay the costs of such second suit to the opposite party.

in the same matter in another shall not recover and shall pay defendants costs.

PART IV.

Execution.

55. Whenever the Judge shall have made an order for the payment of money, the amount shall be recoverable in case of default or failure of payment thereof forthwith or at the time or times, and in the manner thereby directed by execution under the hand and seal of the Judge against the goods and chattels, lands and hereditaments of the party against whom such order shall be made. The precise time when any application shall be made to the clerk of the Court to issue a warrant against a party shall be entered by him in the execution book, and on the warrant; and when more than one warrant shall be delivered to the Provost Marshal, or any writ officer to be executed he shall execute them in the order of the times so entered.

Order recoverable forthwith in default of payment by execution.

Time of application for warrant to regulate the order of the execution of the process.

56. In default of payment by the defendant of any sum of money awarded against him by a Judge, either as debt or damages, or of any instalment thereof, it shall be lawful for such Judge to issue a writ of execution against such defendant, which execution shall be in the form in the schedule annexed to this Act, and every officer executing such writ may by virtue thereof seize and take the moneys, bank notes, bills of

Execution to issue in default of payment.

Levy to be made on personal property.

LAWS OF BARBADOS

Where no personal property, or real (if any)

exchange, promissory notes, specialties, goods, chattels and effects of the party against whom such execution shall issue (except the wearing apparel and bedding of such person, or of his family, and the tools and implements of his trade to the value of five pounds, which shall be to that extent protected from seizure). And if no moneys, bank notes, bills of exchange, promissory notes, specialties, goods, chattels and effects, can be found sufficient to satisfy such execution, but it shall appear that the debtor has lands and houses, the writ officer shall endorse thereon a description of the lands houses or other real estate, and return the writ into the Court.

Writ officers to hand over certain securities to Clerk of Court.

57. The writ officer aforesaid shall deliver over to the clerks of the Courts any cheques, bills of exchange, promissory notes, bonds, specialties, or other securities for money, which shall have been so seized or taken as aforesaid, who shall hold the same as a security or securities for the amount directed to be levied by such execution, or so much thereof as shall not have been otherwise levied or raised for the benefit of the plaintiff; and the plaintiff may sue in the name of the defendant, or in the name of any person in whose name the defendant might have sued for the recovery of the sum or sums secured or made payable thereby, when the time of payment thereof shall have arrived.

Execution not to issue upon order of payment by instalment until default.

58. If the Judge shall have made any order for payment of any sum of money by instalments, execution upon such order shall not issue against the party until after default in payment of some instalment according to such order, and execution or suc-

SESSION OF 1889-90.

cessive executions may then issue for the whole of the said sum of money and costs then remaining unpaid, or for such portion thereof as the Judge shall order, either at the time of making the original order, or at any subsequent time.

59. If there shall be cross judgments between the parties, execution shall be taken out by that party only who shall have obtained judgment for the larger sum, and for so much only as shall remain after deducting the smaller sum, and satisfaction for the remainder shall be entered, as well as satisfaction on the judgment for the smaller sum, and if both sums shall be equal, satisfaction shall be entered upon both judgments.

Cross judgments.

60. In all cases in which judgment shall be given in any Petty Debt Court for a sum not exceeding ten pounds, the writ of execution to be issued thereon shall be directed, in such manner as is provided by the rules in force for the time being relating to writ officers. And all writs of execution for a greater amount than ten pounds shall be directed to the Provost Marshal, and shall be executed by him in like manner as similar writs issuing out of the Court of Common Pleas.

Manner of direction of execution issued for £10 and under.

And for more than £10.

61. Any writ officer entrusted with any execution shall in all things conform with the provisions of the law for the execution of such writs by him and of the rules relating to writ officers.

Proceedings of writ officer entrusted with execution.

62. When it shall happen that in consequence of any execution officer endorsing on the writ of execution, that he cannot find any personal estate or effects of the debtor, but that he has land, and such execution

Proceedings of Provost Marshal upon officers return of writ.

LAWS OF BARBADOS

shall subsequently be delivered to the Provost Marshal to be levied, and he shall discover that the debtor is possessed of any personal property authorized to be taken by this Act, he shall attach the same and dispose of it in due course of law; and should the net proceeds be insufficient to satisfy such execution and the costs thereon, he shall then proceed to deal with any real estate, which may be the property of the debtor, in satisfaction of what may remain due and owing on the execution.

What shall appear
on face of execution
warrant.

63. In or upon every warrant of execution issued against any person whomsoever, the clerk of the Court shall cause to be inserted or endorsed the sum of money and costs adjudged, with the sums allowed by this Act, as increased costs for the execution of such warrant; and if the party against whom such execution shall be issued shall, before an actual sale of the goods and chattels, pay or cause to be paid or tendered unto the clerk of the Court out of which such warrant of execution has issued, or to the officer holding the warrant of execution, such sum of money and costs as aforesaid, or such part thereof as the person entitled thereto shall agree to accept in full of his debt or damage and costs, together with the fees herein directed to be paid, the execution shall be superseded, and the goods and chattels of the said party, shall be discharged and set at liberty

PART V.

Rules, Fees, Fines, Unclaimed money in Court.

Chief Judge to 64. The Chief Judge of the Island may
appoint 3 to 5 Pet. from time to time and as occasion shall

SESSION OF 1889-90.

require, appoint from among the several ^{ty Debt Court} Petty Debt Court Judges any number ^{Judges to frame} thereof, not less than three nor more than ^{rules &c.} five, to frame rules and orders for regulating the practice of the said Courts and also forms of proceedings therein and a scale of fees to be taken on all proceedings in the said courts in addition to or in substitution for any existing rules, orders, forms and scale of fees and to amend any such existing rules, orders, forms and scale of fees or to effect either of the aforesaid purposes, and the Chief Judge may, if he shall think fit, fill up any vacancies in the number of Judges at any time so appointed which may after their appointment occur.

65. All rules, orders and forms and scale of fees framed or amended by the Petty Debt Court Judges appointed as hereinbefore provided, shall, after they have been certified under the hands of such Judges or of any three or more of them, be submitted to the Chief Judge who may allow or disallow or alter the same, and the rules, orders and forms and scale of fees or amended rules, orders and forms and scale of fees when so allowed or altered shall, from a day to be named by the Chief Judge, be in force in every Petty Debt Court.

Rules &c., when made to be submitted to Chief Judge.

66. All rules, orders and forms and scale of fees framed or amended under the provisions of the two last preceding sections of this Act shall be laid before the Legislative Council and the House of Assembly within forty days after the making thereof, if the Legislature is then sitting, or if not, within forty days after the commencement of the then next ensuing session, and if an address is presented to the Governor by either

And to be laid before the Legislature.

LAWS OF BARBADOS

House of Legislature within the next subsequent forty days on which the said House shall have sat praying that any such rule, order or form or scale of fees or special fee may be annulled, the Governor may thereupon by order in Council annul the same, and the rule, order or form or scale of fees or special fee so annulled shall thenceforth become void and of no effect, but without prejudice to the validity of any proceedings which may in the meantime have been taken under or in accordance with the same.

Fees according to
schedule hereto.

67. Until a scale of fees shall be framed under the preceding sections of this Act the fees to be taken on proceedings in the said Courts shall be according to the scale of fees contained in the schedule appended to this Act.

How penalty to be
enforced.

68. Payment of any fine imposed by any Court under the authority of this Act, may be enforced upon the order of the Judge in like manner as payment of any debt adjudged in the said Court, and shall be accounted for as herein provided.

Clerk to enter all
moneys in his cash
book.

69. All moneys coming to the hands of the clerks of the Petty Debt Courts in the course of the business of the Court, shall be entered in a book to be kept for the purpose, distinct from the plaint book, to be called the cash book, and ruled to show the number of the plaint on which each several sum is paid, with the folio of such plaint in the plaint book—the entry showing whether the payment is made by plaintiff or defendant, and whether for fees on process into Court, award, or costs, as the case may be.

Officers to pay
proceeds of execu-

70. All moneys coming to the hands of any writ officer of the Petty Debt Courts

SESSION OF 1889-'90.

being the proceeds of executions, shall be paid by him to the chief clerk, or clerk,—as the case may be—of the Petty Debt Court from which such execution issued, at the next sitting of the Court after the receipt of such money, under a penalty not exceeding twenty pounds on each execution, to be recovered as in the case of servant's wages.

tions at next sitting of Court after receipt of such moneys.

Penalty.

71. Besides the general account of money received in the course of business by the several clerks of the rural Courts and the chief clerk of the Petty Debt Court of Bridgetown a distinct account shall be kept by such clerks of suitors' money in a separate book in which accounts shall be entered of all moneys coming to their hands belonging to suitors, and all moneys paid out by them to the parties respectively entitled thereto.

Suitors' money.

72. The clerks of the several rural Courts, and the chief clerk of the Bridgetown Petty Debt Court shall account once a month, or oftener if required, with the Judge, for all moneys which have been received by them under this Act, and the Judge is empowered to call for and examine the plaint book, and all other books and papers in any way relating to the business of the Court and which he shall consider necessary to the elucidation of such accounts, and the proper checking thereof.

Clerks to account to Judge once a month.

73. All the suitors' money in the hands of the several clerks of the rural Courts and the chief clerk of the Bridgetown Petty Debt Court not drawn within three months shall then be paid over by them and him to the Colonial Treasurer, to an account to be styled "Petty Debt Courts Money Account," and such moneys shall then be only payable by order of the Judge; and

Suitors' money not called for to be paid over quarterly to Treasurer.

LAWS OF BARBADOS

all moneys remaining unclaimed after six years shall be transferred by the Treasurer to the account of the general revenue.

Suits in formâ
pauperis.

74. It shall be lawful for the Governor, on the representation of the Judge of any Petty Debt Court, to admit a plaintiff to sue in formâ pauperis.

Residence of Judge.

75. The Judge of the Petty Debt Court of Bridgetown shall not be required to reside within the limits of Bridgetown.

PART VI.

Miscellaneous provisions.

Judge may grant
time for conduct of
suit.

76. The Judge may in any case make orders for granting time to the plaintiff or defendant to proceed in the prosecution or defence of the suit, and also may from time to time adjourn any Court, or the hearing or further hearing of any cause, in such manner as to the Judge may seem fit.

Executions to
bear interest except
where otherwise or-
dered and in res-
pect of real estate to
be in force 20 years.

77. All writs of execution issuing from the Petty Debt Courts of this Island shall, except where otherwise ordered, bear interest from the date of judgment, and shall in respect of real estate continue in force for twenty years from such date, or from the date of the last payment made on account thereof, or from the date of any written acknowledgment made in respect thereof, as the case may be, and such execution shall as against purchasers for valuable consideration, mortgagees or creditors bind real estate only from the date the same shall have been lodged in the Provost Marshal's office of the said Island,

Subject as herein
mentioned fees to
be according to
schedule hereto.

78. Subject and without prejudice to the powers conferred by sections sixty four, sixty five and sixty six of this Act, and to any scale of fees claimed thereunder in all

SESSION OF 1889-90.

suits for the recovery of petty debts, cases, and for actions for damages, the scale of fees to be taken in all cases where the sum claimed shall not be beyond ten pounds, shall be the fees specified in the schedule hereunto annexed, and in all cases where the debt shall be in excess of ten pounds, the fees to be taken shall be twice the amount that is chargeable where the debt does not exceed ten pounds. The Provost Marshal shall be entitled to charge on executions issued from the Petty Debt Courts, and to demand and receive in advance, where it shall be necessary to proceed to the appraisement of real estate, the expenses to be incurred for cab-hire and advertising, and also a fee of ten shillings, which latter fee shall be in full of appraisements, sale, and all other matters in connection therewith, and shall be deducted by him from the proceeds of any property or effects attached under any execution, and such fee shall be payable whether he shall attach real property or personal estates. Only the actual expenses incurred shall be charged for keeping possession of goods for sale, removal, or storage, and in cases of dispute the amount shall be fixed by appraisement.

Expenses of Provost Marshal to be deducted from proceeds of property attached.

Supplementary.

79. In construing this Act or any future Act relating to the Petty Debt Courts unless there is anything in the subject or context repugnant thereto, the several words hereafter mentioned shall have or include the meaning following;

Construction and interpretation.

"Person" shall include a body corporate or politic

LAWS OF BARBADOS

"Judge" shall mean the judge of a Petty Debt Court.

"Prescribed" shall mean prescribed by the Petty Debt rules for the time being.

"Court" shall mean a Petty Debt Court held under this Act.

"Return day" shall mean the day appointed in any summons or proceeding for the appearance of the defendant or any other day fixed for the trial or hearing of any plaint.

Repeal.

Repeal and Savings.

80. The several Acts mentioned in schedule D to this Act are hereby repealed; provided that

1. Any rule or order now in force whether made under any enactment hereby repealed or not shall continue in force until otherwise provided; and

2. Any Judge or officer appointed under any enactment hereby repealed shall continue and be deemed to have been duly appointed under this Act; and

3. Any enactment or document referring to any Act or enactment hereby repealed shall be construed to refer to this Act or to the corresponding enactment in this Act.

4. This repeal shall not affect

- (a) The past operation of any enactment hereby repealed nor any thing duly done or suffered under any enactment hereby repealed; or
- (b) any right, privilege, obligation or liability acquired, accrued or incurred under any enactment hereby repealed; or
- (c) any penalty, forfeiture or punishment incurred in respect of any offence

SESSION OF 1889-90.

- committed against any enactments hereby repealed ; or
- (d) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid ; and any such investigation, legal proceeding and remedy may be carried on as if this Act had not passed.

5. This repeal shall not revive any enactment, right, office, privilege, matter or thing not in force or existing at the passing of this Act.

SCHEDULE A.

SCALE OF FEES FOR PETTY DEBTS.

On all Claims not exceeding £10.

	s.	d.
For every summons	1	0
For hearing	1	0
For execution	2	0
For executing a summons within the jurisdiction...	1	0
For executing a summons out of the jurisdiction ..	2	0
For summoning each witness, if in the jurisdiction...	1	0
If out of the jurisdiction	2	0
On all claims over £10 the above scale of fees shall be double.		

No fee to be paid on application for a new trial.

An additional hearing fee shall be taken on every new trial.

The hearing fee on interpleader shall not be prepaid, but shall be estimated on the amount of the money or the value of the

LAWS OF BARBADOS

goods claimed, which shall in case of dispute be assessed by the Court, who, at the hearing, shall direct by whom, and when, and how such fee shall be paid.

Payment to Witnesses.

Gentlemen, merchants, bankers, and professional men	... .. 5s. to 10s.
Tradesmen, accountants, clerks, and	
Yeomen	... .. 2s 6 to 5s
Artisans and journeymen,...	... 1s to 2s. 6d.
Labourers,	... .. 1s.

Travelling expenses, a reasonable sum, but not more than 6d. per mile one way.

SCHEDULE B.

(FORM OF EXECUTION.)

BARBADOS.

Victoria by the Grace of God, Queen of the United Kingdom of Great Britain and Ireland, Defender of the Faith, &c.

To Greeting

We command you to attach any of the moneys, bank notes, bills of exchange, promissory notes, bonds, specialties, or securities for money, goods, chattels, and effects, of what nature and kind soever (except the wearing apparel and bedding of the debtor or of his family; and the tools and implements of his trade, if any, to the value of five pounds), wheresoever any such property may be found belonging to

of the parish of

and Island abovesaid, and deal with the same according to the two several Acts of this Island, entitled, "The District Auctioneer's Act, 1890," and "The Petty Debt Act, 1890," for and towards pay-

SESSION OF 1889-'90.

ment of the	sum of	pounds	shil-
lings and	pence,	current	money of our
said Island,	due to		of the

according to a judgment
obtained against the said before

Esquire, Judge of the Petty
Debt Court, for the being for

and the further sum of

pounds shillings and pence, for costs and charges, as endorsed on the back hereof; but if you cannot find any moneys, &c., and shall find any lands, houses, or other real estate belonging to the said

you shall return this writ
into the Petty Debt Court for the

(first endorsing thereon a description of the lands, houses, or other real estate), for the guidance and information of the Provost Marshal of this Island: And we do hereby command such Provost Marshal to attach and dispose of the same, or of any other personal or real estate of the said

which he may levy on under any of the provisions of "The Petty Debt Act 1890," according to law, for and towards payment of

the sum pounds shillings
and pence.

Hereof fail not.

Dated this _____ and in the _____
year _____ of our
reign.

Teste

Judge.

LAW OF BARRADOS

SCHEDULE C.

Summons to obtain Judgment by default on personal Service.

No. of Plaint _____

IN THE PETTY DEBT COURT OF

holden at

Between _____

_____ Plaintiff.

and _____

_____ Defendant.

Take Notice that unless within six days after the personal service of this summons on you, inclusive of the day of such service, you return to the Clerk of this Court at _____ the notice given below, dated and signed by you or your Solicitor, you will not afterwards be allowed to make any defence to the claim which the plaintiff makes on you, as per margin, the particulars of which are hereto annexed; but the Court, without requiring any proof in support of such claim, will enter Judgment against you. If you return such notice to the Clerk within the time specified, the clerk will send you by post, notice of the day upon which the action will be tried.

Dated this

ay of

189

*To the Defendant.**Clerk of the Court.*

	£	s.	d.
<i>Claim...</i>	...		
<i>Fee of Plaintiff...</i>			
<i>Total amt. of Debt and costs</i>			

SESSION OF 1889-'90.

SCHEDULE C—Continued.

Notice of intention to defend or to object to the jurisdiction of the Court.

IN THE PETTY DEBT COURT OF

No. of Plaintiff _____

vs.

I intend to defend this cause (or to object to the jurisdiction of the Court.)

Dated this _____ day of _____ 189 _____

Defendant (a.)

[a] Here must be signed the name of Defendant or of his Solicitor, and in the last case the words—Solicitor for _____ must be added.

TO BE ENDORSED ON THE SUMMONS.

If you pay the debt and costs, as per margin on the other side, into the Clerk's Office within six days after the service of the summons, and without returning the notice of intention to defend, you will avoid further costs.

If you do not return the notice of intention to defend, but allow judgment against you by default, you will *save half the hearing fee*, and the order upon such judgment will be to pay the debt and costs forthwith, or by instalments, *to be specified as in Plaintiff's written consent.*

LAWS OF BARBADOS

SCHEDULE C—*Concluded.*

If you admit a part or any of the claim, you must return, the notice of intention to defend within the time specified in the summons; and you may by paying into the Clerk's office at the same time the amount so admitted, together with the costs proportionate to the amount you pay in, avoid further costs, unless the plaintiff at the trial shall prove a claim against you exceeding the sum so paid.

If you intend to dispute the plaintiff's claim on any of the following grounds :

1. That the plaintiff owes you a debt which you claim should be set off against it :

2. That you were under twenty one when the debt claimed was contracted.

3. That you were then or are now a married woman :

4. That the debt claimed is more than six years old ;

5. That you have been discharged from the plaintiff's claim under a bankrupt or insolvent Act;

you must in addition to the notice of intention to defend, give to the clerk notice of such special defence ; and such last mentioned notice must contain the particulars required by the rules of the court ; and you must deliver to the clerk as many copies of such notice as there are plaintiffs, and an additional copy for the use of the court. If your defence be a set off, you must, with the notice thereof, also deliver to the clerk a statement of the particulars thereof. If your defence be a tender you must pay into court before or at the trial, the amount tendered.

SESSION OF 1889-'90.

SCHEDULE D.

Date of Act.	Title of Act.	Extent of Repeal.
22nd September 1869	An Act for the more easy and speedy recovery of small debts and demands.....	The whole Act.
10th August, 1870...	An Act to amend an Act passed on the 22nd day of September 1869, entitled "An Act for the more easy and speedy recovery of small debts and demands,".....	
5th November, 1870	An Act to form the Police Magistracies into Districts.....	The whole Act.
21st October, 1874...	An Act to appoint an additional Clerk to the Petty Debt Court of Bridgetown.....	Sections 2 and 5.
23rd August, 1881....	An Act to amend the "Petty Debt Acts of 1869, and 1870," and "The Debtors' Act, 1879,".....	The whole Act. Sections 1, 2, 3, 6, 7, 8 & 9.
10th November, 1885	An Act to amend "The Assistant Court of Appeal Act 1883," and "The Petty Debt Act 1870,".....	Sections 7 so far as it relates to the Petty Debt Courts.
24th March, 1888....	An Act to amend "The Assistant Court of Appeal Act 1883" and "The Petty Debt Act 1869,".....	The whole Act so far as it relates to Petty Debt Courts
1st June, 1889.....	An Act to appoint a second Assistant Clerk to the Petty Debt Court Bridgetown.....	The whole Act.

LAWS OF BARBADOS

CAP. LXV.

(Assented to 29th October 1890.)

BARBADOS.

An Act to consolidate the Acts relating to education.

Short title.

BE it enacted by the Governor, Council, and Assembly of this Island, and by the authority of the same, as follows ;

Division of Act.

1. This Act may be cited as "The Education Act, 1890."

2. This Act is divided into six parts as follows :—

Part 1—The Board and its Officers.

Part 2—Elementary Schools.

Part 3—Second Grade Schools.

Part 4—First Grade Schools.

Part 5—University Scholarships.

Part 6—Codrington College.

PART I.

THE BOARD AND ITS OFFICERS.

The Board.

Composition of Education Board.

3. (1) For the purposes of this Act a Board to be called the Education Board, shall be and the same is hereby established, and the said Board shall be composed of a President and eight other persons to be nominated from time to time by the Governor, of whom three at least shall be members of the Legislative Council, and four at least members of the General Assembly ; provided always that the members so appointed from the General Assembly shall continue to be members of the Board in each subsequent Session, if returned to serve therein, and shall also continue to act as Members of the

SESSION OF 1889' 90.

Board after the expiration or dissolution, and during the prorogation of the General Assembly, without its becoming necessary to make new appointments for the time being.

(2.) Should any member of the Board decline to act, or unless absent on leave from the Colony, absent himself without sufficient excuse from three successive meetings of the Board, the President of the Board shall notify the same to the Governor who shall thereupon appoint some fit person to fill the vacancy thereby created.

Quorum.

4. Any four members of the Education Board shall be sufficient to form a Board.

*Quorum.**The Officers.*

5. (1) The Education Board are hereby authorised and empowered from time to time as may be necessary, to appoint the following officers who shall be paid the salaries hereinafter specified monthly on the warrant of the Governor-in-Executive Committee, namely ;

Appointment and salaries of Officers.

An Inspector.....	£400	per annum
An Assistant Inspector	£300	" "
An Inspectors' Assistant	£100	" "
A Secretary.....	£200	" "
An Assistant Secretary...	£ 75	" "

(2.) The Assistant Secretary, and Inspector's Assistant are and shall be appointed on such conditions as to tenure of office as the Board may determine.

6. The Education Board may from time to time as to them shall seem proper determine the duties to be performed by the Inspector, Assistant Inspector, Inspectors' As-

Duties of Officers to be determined by Education Board.

LAWS OF BARBADOS

stant, Secretary, and Assistant Secretary.

Inspector and Assistant Inspector to hold annual examination. 7. The Inspector of Schools and Assistant Inspector of Schools shall hold an examination of all the elementary schools under their supervision at least once in every year and report in writing on such schools to the Education Board not later than the first day of March in each year, to be by the Education Board laid before the Governor for the information of the Legislature.

Annual Estimates.

Functions of Board. 8. It shall be the duty of the Education Board to gradually carry into effect, as nearly as may conveniently be done, the recommendations contained in the Report of the Education Commission of 1874-5, so far as the same are embodied in this Act, first giving their care to the amendment and extension of the system of elementary education; and in order that this may be done more effectually, and that the objects of this Act may in all respects be fully carried out, they are hereby authorised and required to forward to the Governor-in-Executive Committee for insertion in the General Colonial

To carry into effect the recommendations of the Commission.

To submit annual estimates.

And statement of expenditure.

Board not to suggest a greater increase than £1,000

estimates an estimate in detail of all sums which will be required for educational purposes and for the working of this Act during the then current or ensuing year—as the case may be—and there shall also be forwarded to the Governor-in-Executive Committee to be laid before the Legislature a statement in detail, showing the expenditure of the sums voted during the preceding year.

9. In framing their annual estimates for the purposes of carrying out the above-mentioned improvements and for the general

SESSION OF 1889-'90.

educational service of the Colony, the Education board shall not in any one year suggest any greater increase on the preceding year's estimates than one thousand pounds but subject to this limitation, they are hereby authorised to increase the estimates in each year by such an amount as they shall deem proper for educational purposes: Provided always that in case of delay in voting the annual estimates for the purposes of this Act, from whatever cause or in whatever manner arising, the Educational Establishment as provided for by the then last voted estimates shall in the meantime continue to be maintained from and by the public treasury, but under no circumstances shall it be so maintained for any longer period than twelve months; and provided also that the annual expenditure under this Act shall in no event in any year exceed fifteen thousand pounds.

on preceding years estimates.

Proviso in case of neglect or delay in voting supplies or otherwise.

Supplementary Estimates.

10. In case any urgent necessity shall arise for so doing, the Education Board shall have power in any year to frame and submit supplementary estimates to the Executive Committee to be by them submitted to the Legislature for the purpose and in the manner hereinbefore mentioned, subject to the proviso as to yearly increase of the estimates contained in the previous section.

Supplementary Estimates.

Payments.

11. The Governor-in-Executive Committee is hereby authorised and requested to issue warrants to the Treasurer of the Island for payment of such sums of money as may from time to time be required by the Education Board for the purposes of this Act, not ex-

Payments to be by warrant of the Governor-in-Executive Committee.

LAWS OF BARBADOS.

ceeding in any year the sum voted for the same, or in case of delay in voting the annual estimates, the sum last voted for the same.

Rules and Regulations.

Board may make rules and regulations.

To be approved by Governor-in-Executive Committee.

12. The Education Board are hereby authorised and empowered to make rules and regulations for all matters and things connected with the educational service of the Colony, or relevant to all and every the purposes of this Act; and further they shall have power from time to time to alter, amend, add to, or annul all such rules and regulations and all such rules and regulations when so made, altered, amended or added to shall be submitted to the Governor-in-Executive Committee for his approval, and when approved shall be published six times in the *Official Gazette* of this Island, and shall thereafter have the force and effect of law in as ample a manner to all intents and purposes as if they had been inserted in this Act.

General duties of the Board.

General duties of Board.

13. It shall be the general duty of the Education Board to carry out the provisions of this Act and to secure in all respects and by all means its efficient working: they shall receive applications for aid from public elementary schools and when they think fit award the grants thereon; they shall take special care that all sums whatever granted and paid under all or any of the provisions of this Act shall be properly and usefully applied and expended; they shall receive and consider the Inspector's and Assistant Inspector's reports; and, whenever they may deem it expedient they shall visit and examine any,

SESSION OF 1889-'90.

school or schools receiving Legislative aid, and draw up reports in reference thereto and lay the same before the Governor for the information of the Legislature.

Plans of Buildings.

14. Whenever any new buildings shall be erected or any substantial alterations of existing buildings shall be made, under any of the powers and provisions of this Act, the plans for such new buildings or such alterations shall in all cases be submitted to the approval of the Education Board, who shall have power to amend and vary the same; and for these and all other like purposes of this Act, they shall be authorised to call on the Superintendent of Public Works for his advice and assistance.

Plans of new buildings to be approved by Education Board.

Annual Report.

15. Once in every year the Education Board shall present to the Governor for the information of the Legislature, a report showing the general working during the past year of the education system in operation under this Act.

Board to present annual Reports.

PART II.

ELEMENTARY SCHOOLS.

School Buildings.

16. The burden of the education of the poorer classes shall be borne by the general revenue of the Colony, and not by the parochial rates of the several parishes, and shall be defrayed by the Education Board out of the sums annually to be voted for the purposes of this Act; provided however that the vestries of the several parishes shall be and are hereby required to provide by repair.

Burden of the Education of the poor to be borne by the General Revenue.

Proviso: Vestries to provide buildings and keep them in repair.

LAWS OF BARBADOS

building or otherwise, and keep in good repair all such school buildings, including teachers' houses, as the Education Board shall from time to time by requisition in writing call upon them to provide or put

To comply with requisitions of the Board.

in good repair in their several parishes, and the said vestries shall in all respects comply with requisitions of the Education Board in respect of the construction or repairs of such school buildings and for the purposes of this section the said vestries are hereby authorised and required to lay rates in their respective parishes at every annual laying of rates; provided however that in the case of Saint Michael's parish, no such requisition shall be for a greater amount than two hundred pounds in any one year; in the cases of the parishes of Saint Philip, Christ Church, and Saint George, for a greater amount than one hundred pounds in any one year; and in the cases of the other parishes respectively for a greater amount than seventy five pounds in any one year; and provided also that the vestry of any parish may appeal within fourteen days after such requisition shall have been made to them, to the Governor-in-Executive Committee in respect of the subject matter thereof, and the Governor-in-Executive Committee after inquiry into the matter shall have power either to confirm, modify, or disallow any such requisition.

Authorised to lay rates for the purpose.

Appeal to Governor-in-Executive Committee.

Rules for Elementary Schools.

Board to make rules and regulations for government of primary Schools

17. The Education Board shall make rules and regulations for the good government of the public elementary schools; for the subjects to be taught, and the course and order of study in such schools; for the appropri-

SESSION OF 1889-'90.

ation of the sums granted in aid thereof ; for settling and enforcing the payment of the fees to be paid therein ; and for the remuneration of the masters, mistresses, and pupil teachers thereof.

Conditions of Aid.

18. (1) No primary school shall be entitled to be placed on the list of the Education Board to receive Legislative aid unless the number of children in actual average attendance at such school during the three previous months be not less than fifty except as respects the parish of Saint Andrew, in which parish the required average attendance, as aforesaid, shall be thirty-five ;

No primary school to receive legislative aid unless a certain average attendance is attained.

(2) After any such school shall have been placed on the list of the Education Board and shall have received Legislative aid, it shall be lawful for the Education Board to continue to make grants to such school, although the average attendance as aforesaid of children may have fallen below fifty in the other parishes or below thirty-five in the case of Saint Andrew, if and so long as circumstances shall appear to them to justify it ; provided always that in no case shall Legislative aid be granted to any such school when its average attendance as aforesaid shall have fallen below thirty in the other parishes, or below twenty in Saint Andrew.

(3) Notwithstanding the preceding provisions of this section the Education Board may, in any case, if exceptional circumstances so demand, exact a lower average attendance in the case of any school than that hereinbefore mentioned.

LAWS OF BARBADOS

No aid to Complexional Schools.

Schools for the Education of children of any particular complexion not to receive Legislative aid.

19. No public money parochial or otherwise, shall be granted under any circumstances or in any form in aid of the funds of any school maintained for the education of children of any particular complexion.

Doles.

"Doles" prohibited.

20. No person connected with any public elementary school shall give or distribute to any child attending any such school, any dole or portion of food or clothing or any money, for the purpose of inducing such child to attend school.

School Committees.

School Committees.

21. Every public elementary school shall be under the immediate superintendence of a Committee composed of the Minister of the district, or of the congregation with which such school is connected, and two laymen to be appointed annually by the Education Board, and in each case the said Minister shall be the Chairman of such Committee, and the Committee shall exercise all the rights of patronage in such school, including the appointment and dismissal of the master or mistress or pupil teachers of such school, subject however to approval by and a right of appeal to the Education Board.

Factory Acts.

Education Board may bring into operation the principle of English Factory Act.

22. The Education Board shall have power to make rules and regulations for bringing into operation, when they shall see fit, the principle of the English Factory Acts, that is by providing that it shall not be lawful for any person to employ any child under the age of twelve years,

SESSION OF 1889-'90.

to work for any pecuniary wage or any reward whatsoever, unless previous to such employment such child shall have passed a minimum standard of educational qualification to be fixed by the Education Board, before the Inspector of schools or the Assistant Inspector, or, in the case of other than public elementary schools, before such person as the Education Board shall approve. Provided that to acquire the educational qualification herein referred to, no child shall be required to pass an examination in any religious doctrine or instruction, except with the knowledge and concurrence of the parent or other lawful guardian for the time being of such child.

Conscience clause.

Half time system.

23. Either as an alternative to the procedure indicated in the last foregoing section or concurrently therewith, as they shall think fit, the Education Board shall have power to make rules and regulations for bringing into operation the half-time system that is, for compelling the attendance of children under the age of twelve years at some recognized school, public or otherwise, during a certain number of days or a certain number of hours in each week, as they shall think fit, the usual periods of school holidays being excepted. Provided that no such rule or regulation shall in any way interfere with the religious belief to which any child so compelled to attend school may belong, and provided that any rule or regulation made under this section requiring a child to attend school shall provide for the total or partial exemption of such child from attending school, if the Inspector or Assistant Inspect-

Half time system.

Conscience clause.

LAWS OF BARBADOS

or of schools certifies that such child has reached such a standard of education as would in the opinion of such Inspector or Assistant Inspector be sufficient to exempt the attendance at school of such child, and the Inspector or Assistant Inspector is hereby required to examine any child for the above purpose when instructed so to do by the Education Board.

Rules and Regulations.

Board may make provisions for carrying out sections 22 and 23.

24. The Education Board are hereby authorised and required to appoint such officers and to make all such rules and regulations as may in their judgment be necessary for carrying out, in the most effectual and at the same time the most simple and least harrassing manner, the intention of the two last preceeding sections or either of them and such rules and regulations, besides being approved and published as is hereinbefore provided, shall be laid on the table of both Houses of the Legislature, and if within twenty-one days thereof, either House shall present an address to the Governor against any of the said rules and regulations, then such rule or rules and regulation or regulations shall *ipso facto* stand annulled ; and any person violating any rule or regulation passed under this Act, except any rule or regulation which may have become annulled in the manner specified by this section, shall be liable for every such offence to a penalty not exceeding ten shillings, to be recovered as in the case of servants' wages before a Police Magistrate, on the complaint of any person, and to be paid into the public treasury.

Penalty for violation of rules.

SESSION OF 1889-90.

Exhibitions.

25. In order to facilitate the bringing of very promising boys in humble circumstances within the reach of the advantages of high education, six exhibitions, not exceeding twenty five pounds per annum each in value, may be awarded, one in each year, by the Education Board, to boys of sufficient merit, educated in the primary schools of this Island, to be held at any first grade school; and the candidates for such exhibitions shall be admitted to compete under such conditions as to age, and shall be examined in the manner and in the subjects and under the conditions, which shall be prescribed in any rules made by the Education Board for that purpose, and the exhibitions shall be tenable for not more than six years each, on such terms and conditions as the Board shall in like manner appoint.

Six Exhibitions of £25 each to be held at any first grade school by boys in humble means.

Board to settle conditions of competition.

Examination of Teachers.

26. An annual examination of such teachers as shall offer themselves for that purpose shall be held by such persons as the Education Board shall appoint, and a list of all who pass shall be published, and those who pass with credit shall be ranked in two honour-classes, and annual premiums shall be awarded by the Education Board to teachers holding certificates granted by the Board according to a scale to be fixed by the said Board.

Teachers examination.

Pupil Teachers.

27. The master or mistress of every Elementary School which the Inspector of Schools or the Assistant Inspector shall certify, subject to the rules of the Education Board, to be in a fit state for employing and

Pupil Teachers.

LAWS OF BARBADOS

training pupil teachers, shall be allowed, subject to the rules aforesaid to receive, as such pupil-teachers, young persons who shall be at least fourteen years of age, have a good character from their Minister or some other respectable person, and pass a satisfactory examination; and for every such pupil-teacher so received the said master or mistress of such school shall receive such payment as the Education Board shall think fit.

Examination of Pupil Teachers.

**Examination of
Pupil Teachers.**

28. Every such pupil-teacher who shall have been admitted into any school as aforesaid, and who shall produce a certificate of good conduct for the preceding twelve months from his Minister or some other person approved of by the Education Board, shall be examined annually by such persons as shall be appointed for that purpose from time to time by the Education Board, and shall, if he pass, be entitled to receive a certificate, and be classified according to his proficiency, and shall receive such allowance as the Education Board shall think it proper to make.

Training of teachers.

**Training 'school
for Masters.**

29. The Education Board shall in each and every year select by competition from among the pupil-teachers a certain number of candidates to be specified by the Board for masterships in primary schools, to be paid a sum not exceeding twenty pounds each per annum and to be trained in some Institution to be approved of by the Board for two years each, if they shall conduct themselves properly during that period, and to

SESSION OF 1889-90.

be subject in all things to the control and supervision of the Education Board; provided the expenditure for such purposes shall not exceed two hundred pounds in any one year And the Education Board shall, make such arrangements, together with such rules and regulations for the instruction and discipline of such students as they shall deem meet; provided always, that the rights of conscience of each and all of such students in respect of their religious beliefs shall be duly and fully protected in all such arrangements, rules and regulations, if any, as may be made.

30. The Education Board shall have power to make arrangements for the training of a certain number of female teachers for Elementary schools under like conditions to those contained in the last preceding section, provided that the expenditure for such purposes shall not exceed one hundred pounds in any one year.

Training of mistresses.

Industrial and Ragged Schools.

31. The Education Board shall have power, and they are hereby required, to frame schemes for the establishment of an industrial school in or near Bridgetown, and also, if they shall think it advisable, of one or more Industrial Schools in such localities in the country districts as they shall judge best suited to the purpose, and also, if they shall think fit, for the establishment of Ragged Schools in Town or elsewhere; and the Board shall submit such schemes to the Legislature along with the estimate of the cost of the establishment of such school or schools to be by them approved, amended, or disallowed as the case may be, and the Board are,

Board may frame schemes for establishment of Industrial Schools.

And Ragged Schools.

To submit to the Legislature.

SESSION OF 1889-'90.

Rules and regulations. hereby authorised to make rules and regulations for the maintenance, good government, and working of such school or schools when so established, and to appoint such officers from time to time as they shall judge to be necessary, and at such salaries as they shall think fit.

PART III.

SECOND GRADE SCHOOLS.

Schemes for Establishment.

Board may frame schemes for establishment of second grade schools.

32. The Education Board shall have power, and they are hereby required to frame schemes for the establishment, either concurrently or from time to time, of second grade schools in such localities as may be deemed by them expedient.

Schemes how framed, and dealt with.

Description of schemes to be drawn up for establishment of second grade schools.

33. Whenever, and at such times as they shall think proper, the Education Board shall frame schemes as aforesaid for the establishment of such second grade schools as they shall deem expedient ; and in such schemes they shall set forth the proposed name and the actual locality of such school, the composition, functions and powers of the Governing Body thereof, the course of study to be pursued therein, the public grants or allowances to be made towards the establishment or maintenance thereof, the application, if any, in aid thereof of any parochial endowments as hereinafter provided, and all such other matters and things as the Board shall think it right to set forth ; and such schemes when so framed as aforesaid shall be presented by the Board to the Legislative Council and the House of Assembly, and shall lie or

Schemes to be laid before the Legislature.

LAWS OF BARBADOS

the table of the two Houses for a period of two months, and immediately after they shall have been so presented as aforesaid, the Education Board shall also cause such schemes to be published three times in the *Official Gazette*; and if within the period aforesaid no petition shall be presented to the two Houses of the Legislature against the provisions of the said schemes, or any or either of them, then immediately on the expiration of the said two months from the date of their said presentation, the said schemes shall have the force of law and be as valid to all intents and purposes as if they had been inserted in this Act; but if any petition shall within the time limited as aforesaid be presented to the two Houses against the provisions of the said schemes, or any or either of them, the petitioners shall be heard by a joint Committee of both Houses, to be composed of three members of the Legislative Council and four members of the General Assembly, and if the schemes shall be allowed by the said joint Committee, they shall have the force of law as aforesaid from the date of such allowance, but if the joint Committee shall think fit, they may refer such schemes back to the Education Board for amendment, and the schemes when so amended shall be again presented to the two Houses, and shall be dealt with in all respects and shall be subject to the like provisions, as regards the right to present petitions, and the mode of finally becoming law, as are hereinbefore enacted in respect of the original schemes. Provided that it shall be lawful for the two Houses of the Legislature within the said period of two months, by Resolution or

Validation of
schemes.

Amendment of
schemes.

Disallowance of
schemes.

LAWS OF BARBADOS

otherwise, to amend or disallow in any respect any such scheme, original or otherwise.

Alteration of schemes. Any scheme may after it has become law under the aforesaid provisions be reframed altered or amended by the Education Board

provided that any such reframed scheme alteration or amendments therein shall be submitted to both branches of the Legislature and be dealt with in all respects under this section as if it had been an original scheme.

Governing Bodies.

Governing Bodies of second grade schools to become bodies corporate.

34. When and so soon as such schemes for the establishment of second grade schools shall have acquired the force of law in the manner hereinbefore mentioned, the several Governing Bodies as therein constituted shall be and become bodies corporate to all intents and purposes, and shall have a perpetual succession and a common seal, and shall sue and be sued by the name assigned to them severally in the said schemes and all lands, buildings, property, and effects whatsoever belonging to or thereafter to be acquired by the said schools, shall be vested in the respective Governing Bodies thereof.

Grants in aid.

Grants to second grade Schools.

35. The Education Board shall have power and they are hereby required to propose, in the annual estimates hereinbefore provided for, such grants as they shall think proper in aid of the second grade schools already established or to be established as aforesaid.

Rules for government.

Rules for second grade schools.

36. In consideration of the said grants to the second grade schools, the Education Board shall have power to call on the Gover-

SESSION OF 1889-'90.

ning Bodies of such schools to frame statutes and rules for the good government and regulation of such schools, and the said Governing Bodies shall from time to time alter, add to, or rescind the same, and such original, added, or altered statutes and rules shall in all cases be subject to the approval of the Education Board.

Exhibitions.

37. For the purpose of encouraging the studies of deserving boys at the second grade schools, the Education Board shall have power to place on the annual estimates hereinafter provided for, a sum not exceeding three hundred pounds in each year, to be expended in sixty exhibitions at five pounds each per annum, and these exhibitions shall from time to time be awarded after due advertisement, according to the results of an open competitive examination, and shall be tenable at any of the said second grade schools, at the option of each exhibitor's parent or guardian; and the Education Board are hereby authorised and required to make rules and regulations for settling the age and qualifications of candidates, and the character of the examinations to be held for such exhibitions, and also for determining the conditions on which such exhibitions shall continue to be held, by those to whom they may be awarded and for prescribing all other matters and things in relation to the said exhibitions; and they shall also have power to make provision for the remuneration of the persons to be appointed by them to examine candidates for such exhibitions.

Sixty exhibitions of £5 each per annum at second grade schools.

LAWS OF BARBADOS.

Parochial Exhibitions.

Vestries empowered to lay rates for parochial Exhibitions.

38. The vestries of the several parishes shall have power and they are hereby authorised if they shall think fit, to lay a rate on the rate-payers of their respective parishes, along with the general annual rates, for the purpose of raising a reasonable and proper sum for the maintenance of parochial exhibitions, at the second grade schools connected with their respective parishes, for the children of parishioners in straitened circumstances; and such parochial exhibitions shall be awarded and held subject to such provisions and to such rules and regulations in respect of candidature, examination, and all other matters relating thereto, as may be made by the Education Board.

Annual Examinations.

Annual examination &c., of second grade schools.

39. In order to maintain a high standard of efficiency in the second grade schools, the Education Board are hereby authorised to make such arrangements as they shall think proper for the annual examination, and, if practicable the inspection of the said schools.

PART IV.

FIRST GRADE SCHOOLS.

Board to determine First Grade Schools.

Board to determine what schools are to be first grade schools.

40. It shall be the duty of the Education Board to provide as occasion may demand, that First Grade Education be brought within the reach and means of such inhabitants of this island as desire it for their sons; and the said Board shall determine what schools shall be schools of the First Grade and shall define the functions and powers of

SESSION OF 1889' 90.

the Governing Bodies of all such schools, and also of the Head Masters thereof, and shall frame schemes for the management of such schools, and shall have power to call upon the said Governing Bodies by requisition in writing from time to time to frame Statutes, Orders, and Rules for the discipline, government, and course of instruction of such schools, as far as may be in conformity with the report and recommendations of the Education Commission aforesaid; and the said Statutes, Orders, and Rules, when so framed shall be approved, amended, or referred back by the Education Board, and when finally settled shall be published for general information in the *Official Gazette*. Rules &c., for first grade schools.

Provision for Instruction.

41. In framing such scheme as aforesaid the Education Board shall make due provision that instruction be given not only in the English and Classical Languages and Literature and in Mathematics but also in the French Language and in the elements of one or more of the Natural Sciences, and, when practicable, in the German Language. They shall also provide that in one First Grade School at least, arrangements be made so as to secure a thorough and solid education for such boys as may require a modern in lieu of a classical education.

*Curriculum.**Annual Examination and Inspection.*

42. In order to secure a high standard of Education in the First Grade Schools, the Education Board are hereby authorised and required to make provision, as they may deem best after consultation with the Governing Bodies and Head Masters of the said schools, for the thorough annual ex-

Examination and Inspection.

LAWS OF BARBADOS

amination and, if practicable, the periodical inspection of such schools, whether by qualified residents in this or neighbouring Colonies, or by invoking the assistance of examining Bodies in England, or by securing the periodical visits of a travelling Inspector from England; and the said Board are hereby empowered, if they shall see fit, to enter, through His Excellency the Governor, into negotiations with the Governments of neighbouring Colonies in order to secure the services of such travelling Inspector, conjointly with them, and the Board shall also have power to carry into effect any agreement that may be arrived at after such negotiations.

Publication of Reports.

Publication of
reports of Exami-
ners and Inspectors.

43. As soon as possible after the conclusion of each such examination or inspection, the Education Board shall publish in the *Official Gazette* so much as they shall think fit of the Reports of such Examiners or Inspectors, as the case may be; and they shall also at the close of each year, or as soon thereafter as possible, publish in like manner a Report of each First Grade School which shall be furnished by the Governing Body of each such school, setting forth the actual state of the school as to numbers, attendance, discipline, subjects of instruction, and general condition, together with a statement of income and expenditure for the year then expired.

Exhibitions.

Exhibitions at
first grade schools.

44. For the purpose of encouraging the education of deserving boys at the First Grade Schools, the Education Board shall have power to place on the annual estimates

SESSION OF 1889'90.

hereinbefore provided for, a sum not exceeding three hundred and fifty pounds to be expended in exhibitions for the benefit of boys who are natives of Barbados, or the sons of a native, and whose parents are not in well-to-do circumstances: and the said Board are hereby authorised and required to settle and to publish in the *Official Gazette* the numbers and value of the several exhibitions to be thus created, having due regard to the recommendations of the said Education Commission in that behalf; the age and qualifications of the candidates for the same; the nature and periods of the examinations to be held for awarding the same; and the conditions and duration of tenure; provided always, that the said exhibitions shall be awarded according to the results of a competitive examination, to be conducted under the direction of the said Board, to boys only who show real merit, and shall be tenable at any First Grade School at the option of the successful candidate's parent or guardian.

HARRISON COLLEGE.

Governing Body

45. The President of the Council for the time being, the Speaker of the House of Assembly for the time being, the Attorney General for the time being, the Rector of the Parish of Saint Michael for the time being, the Churchwarden of the Parish of Saint Michael for the time being, and two members of the Vestry to be chosen annually, shall, together and in conjunction with the Education Board, be the Trustees and Directors of "Harrison College for all intents and purposes: provided however that the Educa-

Constitution of
Governing Body of
Harrison College.

LAWS OF BARBADOS

tion Board, as such shall still exercise its distinct functions in respect of the said School as otherwise provided for.

**Governing Body
to be a body corporate.**

46. The said School shall be a School of the First Grade, and shall be styled and called "Harrison College" and the said Trustees and Directors thereof shall be styled and called "The Governing Body of Harrison College," and they shall be and are hereby constituted a body corporate, and shall have a perpetual succession and a common seal, and shall sue and be sued under the style and title aforesaid; and in the said Governing Body of Harrison College shall vest without any conveyance all the estate, property, and effects, of what nature and kind soever, and also all the rights and liabilities, which severally were formerly of the Trustees and Directors of the said School; and any five members of the said Governing Body shall be sufficient to form a quorum for the transaction of the business of the said School.

Quorum.

Annual grant in Aid

**Annual grant of
£1,000.**

47. For the purpose of supporting Harrison College and assisting the Governing Body thereof in making good any guaranteed salaries of masters of the said College, an annual sum not exceeding one thousand pounds is hereby granted from the public treasury to the Governing Body, to be paid to them or their order from time to time, on the warrant of the Governor-in-Executive Committee on their certifying to the Governor-in-Executive Committee that the same is required, and the Governing Body shall apply such moneys when received to and for the purposes aforesaid; provided

SESSION OF 1889'-90.

always that the full course of instruction defined in section forty one of this Act, shall be strictly carried out; and provided also that whenever the pupils in the said College shall be below the number of one hundred, the grant hereby made shall be reduced to the sum of eight hundred pounds, for the period the number of pupils shall continue below one hundred; and provided also that whenever the number of pupils in the said College shall fall below sixty, the said grant shall be further reduced to the sum of four hundred pounds for the period the number of pupils shall continue below sixty.

Vestry Exhibitions.

48. For the purpose of assisting at the said College in the education of ten boys whose parents, being parishioners of Saint Michael, are in straitened circumstances, to the extent of ten pounds each per annum, the vestry of the parish of Saint Michael are hereby authorised to apply a sum not exceeding the sum of one hundred pounds of the monies raised at the laying of their rates in each and every year, which said sums so raised as aforesaid shall yearly be paid over by the vestry to the Governing Body of the said College, to be applied by them for the purposes aforesaid.

Vestry Exhibitions at Harrison College.

By whom nominations exercised.

49. The nomination of the ten boys for whose education part provision is made in the last preceding section shall be exercised by the vestry of Saint Michael and the boys nominated, shall be examined as the Education Board shall think fit and shall make provision, and the said Board

Examination of Exhibitioners.

LAWS OF BARBADOS

Limit of age.

shall thereafter elect according to the results of such examination ; provided that no boy shall be eligible for an exhibition who is less than seven years of age or more than fifteen ; and provided also that the exhibitors so elected shall hold their exhibitions subject to such rules and regulations as to conditions and period of tenure as the Education Board shall from time to time establish.

THE LODGE SCHOOL.

Lodge School vested in Governing Body of same according to the contract.

50. The formal contract with the Society for the Propagation of the Gospel in foreign parts for the transfer by the said Society to the said Board of the Lodge School in the parish of Saint John with its site, buildings, playgrounds, and all appurtenances, is hereby confirmed, and the site, buildings, and all appurtenances of the said Lodge School shall be vested for all intents and purposes whatsoever in the Governing Body hereinafter established for the same, to hold the same according to the terms and conditions of the said contract.

Governing Body.

Governing Body

51. The following persons shall constitute the Governing Body of the Lodge School ; viz., the Lord Bishop of Barbados, the President of the Legislative Council, the Speaker of the House of Assembly, the two representatives in the General Assembly for the parish of Saint John, the Principal of Codrington College, the Rector of Saint John, and two other persons to be nominated by the Governor. Three shall form a quorum.

To be a corporate body.

52. The above mentioned officers and persons shall be styled the "Governing Body

SESSION OF 1889-'90.

of the Lodge School," and shall be a corporate body, and shall have a perpetual succession and a common seal, and by that name shall sue and be sued, and in them shall be vested the site, buildings, and all appurtenances of the said Lodge School, on the terms, and subject to the conditions, on which the same have been handed over by the said Society to the Education Board.

Annual Grant in Aid.

53. For the purpose of assisting in the maintenance and support of the said school, a sum of five hundred pounds per annum shall be and is hereby granted from the public treasury, to be paid to the Governing Body of the said school on the warrant of the Governor-in-Executive Committee; provided always that if at the expiration of two years from the establishment of such school, the number of boys therein shall be below thirty, the grant shall not be payable, and the payment thereof shall be suspended during such time as the said number of boys shall remain below thirty.

Annual grant of
£500.

Parochial Exhibition.

54. The vestries of the parishes of Saint Philip, Saint John and Saint Joseph, shall be and they are hereby authorised to make and lay rates at the general laying of rates in each year, for the purpose of raising the sums of sixty pounds, sixty pounds and forty pounds, respectively, to assist in the education at the said school of the sons of persons in straitened circumstances; and the exhibitions thus provided for shall be of such value as the Education Board shall appoint, and the said vestries shall respectively nominate candidates for vacancies as

Vestries of St. Philip St. John and St. Joseph authorised to lay rates for Exhibitions at the Lodge School.

LAWS OF BARBADOS

Conditions of Exhibitions. the case shall be, and thereafter the like proceedings shall be had, and the like rules and conditions observed, as are hereinbefore set forth in the forty ninth section in regard to the exhibitions provided at Harrison College by the Vestry of Saint Michael.

QUEEN'S COLLEGE.

School for Girls.

"Queens" College to be a first grade school, how conducted. 55. The school for girls called "The Queen's College," shall rank as a first grade school, and shall be conducted on the lines of the prospectus set out in the schedule B to this Act annexed; and a sum not exceeding four hundred pounds may be placed on the annual educational estimates for the support thereof, until such school shall have become self-supporting.

Governing Body.

Governing Body. 56. The members of the Education Board shall constitute and be the Governing Body of the Queen's College, and shall have power from time to time to alter and amend the original scheme for the establishment and maintenance of the Queen's College or any amended scheme made in accordance with the provisions of this section, but such amended scheme shall be subject to the provisions of the last preceding section of this Act.

Lands and Buildings.

Lands &c., vested in Governing Body. 57. All lands and buildings now forming the site and buildings of Queen's College and all lands adjoining the Queen's College formerly occupied by the Training School or by the Clerical Library, are hereby vested in the Governing Body of the Queen's College.

SESSION OF 1889-'90.

Examination.

58. In order to test and maintain the efficiency of the above-mentioned school for girls, the Education Board shall make rules and regulations for the holding of such examinations or inspections in connection with the said School, as they shall think most suitable, and they shall make provision in their annual estimates for the cost of the same.

Examination &c.,
of Queen's College.

Loan to Queen's College.

59. A loan of four hundred pounds is hereby granted from the public treasury to the Governing Body of Queen's College for the purpose of assisting such Governing Body to pay a loan of five hundred pounds, raised under the provisions of "The Queen's College Loan Act, 1885," and the Act of the eighth day of February, one thousand eight hundred and eighty seven, entitled, An Act to amend "The Queen's College Loan Act, 1885," and the Governor-in-Executive Committee is hereby authorised and required to issue a warrant to the treasurer of the Island requiring him to pay as a loan the said sum of four hundred pounds to the order of the said Governing Body of Queen's College, and the lands and buildings of which the said Governing Body may be possessed for the purposes of the said School shall be charged with, and subject and liable to the payment of the said loan of four hundred pounds hereby granted, until the same shall be repaid.

Loan to Queen's
College.

60. The said loan shall be repaid on or before the thirty first day of December one thousand nine hundred and two.

LAWS OF BARBADOS

PART V.

UNIVERSITY SCHOLARSHIPS.

Gilchrist Scholarship.

Gilchrist Scholarship.

£75 per annum.

How payable.

61. Whenever any native or the son of a native of Barbados, who shall have received his education in this Colony for at least three years immediately preceding the examination, shall successfully compete in this Island for a Gilchrist Scholarship, he shall be entitled to receive and shall receive for the said term of three years from the public treasury, the sum of seventy five pounds per annum, the said sum shall be paid to him quarterly to his order out of the treasury on the warrant of the Governor-in-Executive Committee on the certificate of the Registrar, or the head of a College or of some other proper authority of any British University at which he may be pursuing his studies that he had during such quarter satisfactorily pursued his studies at such University or had been prevented by serious illness from so doing.

Pembroke or other similar Scholarships.

Pembroke Scholarship.

62. Whenever a native or the son of any native of Barbados, who shall have received his education in this Colony for at least three years immediately preceding the examination shall be elected to any exhibition tenable at any College of one of the English Universities, on conditions approved of by the Board, such exhibition being created by a gift to the Education Board of a sum of four hundred pounds in four annual instalments, and to be competed for by the youths of this Island as an exhibition; he shall, at the discretion of the Board be en-

SESSION OF 1889-'90.

titled to receive for the said term of four years from the public treasury the sum of seventy five pounds per annum, and the said sum shall be paid to him in all respects in the like manner, and upon the like conditions, to those set forth in the last preceding section of this Act. Provided always that if any holder of any such exhibition shall at any time forfeit the same under any of the conditions imposed by the donor, then and in every such case the grant made by this section to such person committing such forfeiture shall immediately cease and determine. £75 per annum how payable.

Barbados Scholarships.

63. In order to further develop the higher educational interests of this Island and to encourage youths who may show promise in the prosecution of their studies, by enabling them to complete their education at an English University, four scholarships, to be called the "Barbados Scholarships," each of the annual value of one hundred and seventy five pounds, and tenable during residence as a member of the University for a period not exceeding four years, either at Oxford or Cambridge, shall be established by the Education Board—one to be competed for annually—and the said Board shall have power and they are hereby required to make rules and regulations for the admission of candidates, for the character and conduct of the examination for the terms and conditions on which the said Scholarships shall continue to be held, and for all other matters and things whatsoever relating to the competition for the said scholarships, and to the tenure thereof. Barbados Scholarship. £175 per annum

LAWS OF BARBADOS

Examination.

Examination for Barbados Scholarship. 64. The examination for the said "Barbados Scholarships" shall be conducted under the direction of the Education Board by papers sent from England, and returned thereto, and the Scholarships shall only be awarded by the said Board to youths, who are either natives or the sons of a native or of persons domiciled in this Island, and who have been for the three years immediately preceding, receiving their education in this Colony, and who shall on the examination for the said Scholarship attain such a standard of proficiency, as prevails generally at the Colleges of Oxford and Cambridge, in respect of examinations for open scholarships and exhibitions.

Grant from treasury.

Grant towards Barbados Scholarship. 65. Every person elected to one of the said Scholarships shall be entitled to receive and shall receive for the said term of four years from the public treasury the sum of one hundred and seventy five pounds per annum and the said sum shall be paid to him in all respects in the like manner and upon the like conditions to those set forth in section sixty one of this Act; provided always that the said scholarships shall be held subject to any rules which may be made by the Education Board in that behalf.

Payment by Crown Agents.

Payment through the Crown Agents. 66. The Governor-in-Executive Committee may direct any sum granted under the provisions of the five sections next preceding, to be paid to the parties entitled to receive the same, or their order, by the Crown Agents for the Colonies, upon their receiving in each case the certificate herein-

SESSION OF 1889' 90.

before specified, and any necessary expenses incurred in making such payments shall be defrayed out of the Public Treasury by warrant of the Governor-in-Executive Committee.

PART VI.

CODRINGTON COLLEGE.

67. The Education Board shall be and they are hereby charged with the duty of submitting as soon as may conveniently be done, detailed plans to the Society for the Propagation of the Gospel in Foreign Parts, for working Codrington College into the Educational System of the Island, and of carrying on negotiations with the said Society with the abovesaid object in view; and they shall suggest to the said Society the expediency of adopting such recommendations as to the general administration and Professorial Staff of the establishment, as are contained in the Report of the Education Commission or otherwise as they shall think fit; and in particular it shall be the duty of the Education Board to impress on the said Society the great importance of appointing at once a College Council or Governing Body with definite but large powers assigned to it, subject only to such checks and general control as the said Society shall deem expedient; and the Board shall from time to time as they shall think fit, report their proceeding under this section, and the results thereof to the Governor, for the information of the Legislature.

Duties and powers of Education Board with reference to Codrington College.

Island Scholarship.

68. An annual sum of one hundred and sixty pounds shall be and the same is here-

Island Scholarship.

LAWS OF BARBADOS

Number and value
of Scholarships.

by granted to the Education Board, to be paid to them from time to time, on their requisition by the warrant of the Governor in-Executive Committee and to be applied by them to the establishment of four scholarships of the annual value of forty pounds each at Codrington College to be competed for and held subject to such regulations as the Board shall think fit from time to time to make ; and the said Scholarships shall not be confined to any particular faculty, and shall be filled up at such time in each year as the Education Board shall determine, according to the result of an examination to be held by the authorities of the said College, and they shall be tenable by any native, or son of a native of Barbados for two years and no longer ; provided that each such scholar shall, unless prevented by sickness or other grave cause keep his terms continuously at the said College during such period, and shall transmit to the Secretary of the Education Board, at the close of each term, a certificate from the Principal of the College, or the person acting on his behalf, that he has kept such term by actual residence, and has satisfied the authorities of the College by his diligence and general conduct on the receipt of which certificate he shall be paid the amount, to which he may be entitled for the term then ended.

Rawle Scholarship.

Rawle Scholarship
trust fund, in whom
vested and for what
purposes.

69. So much of the sum of four hundred pounds or thereabouts raised for the purpose of founding a Scholarship in memory of the Revd. Richard Rawle, M.A., as may be recovered, shall be and remain vested in the Bishop of the Diocese for the time being

SESSION OF 1889-90.

and the Principal of Codrington College for the time being, and their successors in office upon trust that the said Bishop and Principal of Codrington College and their successors do and shall either permit and suffer the same to remain in its actual state of investment or at any time or times to sell, transfer, or dispose of the same or of part thereof, and lay out and invest the money to arise by such sale, transfer, or disposition, in the names of the said Bishop of the Diocese and Principal of Codrington College and their successors in the purchase of a competent share or shares of any of the parliamentary stocks or public funds of Great Britain, or at interest upon real securities in this Island; and do and shall from time to time alter, vary, and transfer the said stocks, funds, or securities in to or for other stocks, funds, or securities of the same or a like nature, as to them shall seem proper; and do and shall stand and be possessed of and interested in the said sum and any additional sum or sums, and the moneys to arise by the sale, transfer, or disposition thereof, or any part thereof, and the securities in or upon which the same may be invested, upon trust, to pay the dividends, interest, and annual produce thereof, unto the person or persons elected to and holding the said Scholarship, subject to such rules as to candidature, examination, and other matters, as the College authorities shall think fit from time to time to make.

The Leacock Scholarship.

70, The Lord Bishop of the Diocese of Barbados and the Principal of Codrington College and their successors in office shall

Leacock Scholarship trust fund
vested in the Bishop

LAWS OF BARBADOS.

of Barbados and the Principal of Codrington College for the time being on the trusts affecting it.

Schoolmasters not liable to serve on juries.

Repeal and Savings.

stand and be possessed of and interested in the sum of one thousand pounds paid and transferred to them by the executors of the will of John Henry Leacock, late of the parish of Saint Peter in this Island for the establishment of two scholarships of the annual value of thirty pounds each at Codrington College and upon and subject to all and every the trusts, powers, provisions, declarations and conditions declared and contained of and concerning the same (including the trusts for investment and varying of securities) in and by the said Will or such of them as may from time to time be subsisting and capable of taking effect.

71. No Master of any school aided under this Act shall be liable to be called on to serve on any jury.

Repeal,

72. The Acts mentioned in schedule "C" to this Act are hereby repealed; provided that this repeal shall not affect;

1. The past operation of the enactments hereby repealed or anything done or suffered or any rule, regulation or scheme made under the enactments hereby repealed; or
2. any right, privilege, obligation, or liability acquired, accrued, or incurred under the enactments hereby repealed; or
3. any penalty, forfeiture, or punishment incurred in respect of any offence committed against the enactments hereby repealed; or
4. any investigation, legal proceeding or remedy in respect of any such right,

privilege, obligation, liability, penalty, forfeiture, or punishment as aforesaid, and any such investigation, legal proceeding or remedy may be carried on as if this Act had not passed.

This is to certify that A.B. of
has lent to the Governing Body of the
Queen's college the sum of under
the authority of this Act, and that the said
A.B., his executors, administrators, and as-
signs is entitled to the said sum of of
with lawful interest thereon payable
annually from the day
of: 188

Dated this day of 188

C.D.

Chairman of the Governing Body of
the Queens College.

The Queen's College, Bridgetown, Barbados.

The Governing Body of the College is composed of the Members of the Education Board called the Governors.

The College will be divided into Preparatory Classes and Advanced Classes.

Subjects of Instruction.

Preparatory Classes—A thorough and suitable grounding in all the branches of an English Education as well as in Elementary Latin and French.

Advanced Classes—Mathematics, (includ-

LAWS OF BARBADOS

ing Arithmetic, Algebra, Geometry,) English, (including Language, Literature, Geography, and History,) French, Latin, Natural Philosophy, Chemistry, Natural Science.

Extra Classes—Special Classes and Courses of Lectures on different subjects, including German, Greek, &c., will be formed and announced from time to time, for which extra fees will be charged.

Private Lessons—Instrumental Music, and Solo Singing &c.

Besides Boarders and other members of the College, outside students will be allowed to attend the Extra Classes.

The work of the Pupils will be tested by periodical examinations, and reports of their progress and conduct will be sent to the parents at the end of each term.

Admission, &c.

Every candidate for admission will be required to pass an examination in reading, writing and arithmetic, the latter to include Addition and Subtraction, and the Multiplication Table.

School Terms, Fees, &c.

The School year is divided into three Terms, each of about thirteen weeks, corresponding with the Terms usually kept at Public Schools in this Island.

The vacations will be given at the usual times, and will, be of the ordinary duration, and there will be one whole holiday given at the middle of each term.

The hours of attendance will be from 10 a.m. to 4 p.m.

SESSION OF 1889-'90.

Entrance Fee—Ten Shillings.

Term Fees—For Preparatory Classes—
£2 10. 0.

For Advanced Classes £3 6. 8.

For School Stationery a charge of 2s. and 3s. a term is made for Preparatory and Advanced Classes respectively.

All fees must be paid in advance, and no pupil will be permitted to attend School without the Treasurer's receipt for such fees,

Notice of the intention to remove a pupil or to discontinue an extra subject for which a fee is charged, must be given at least one calendar month before the end of the Term.

LAWS OF BARBADOS

SCHEDULE C.

Date of Act.	Title of Act.	Extent ^o of Repeal.
11th August, 1859.....	An Act to incorporate the Society of the Saint Mary's Schools and Barbados Orphan Home and Asylum for Destitute Children.	The whole Act.
30th July, 1863.....	An Act to amend the Act of the 11th August 1859, entitled "An Act to incorporate the Society of the Saint Mary's Schools and Barbados Orphan Home and Asylum for destitute Children."	The whole Act.
9th Decr., 1878.....	An Act to establish a General Education Board and to provide for the improvement and extension of the educational system of the Colony.....	The whole Act
28th March, 1882.....	An Act to authorise the Governing Body of Harrison College to borrow a sum not exceeding eight hundred pounds, and guaranteeing the payment of any sum so borrowed and the interest thereon.....	The whole Act.
19th March, 1884.....	An Act to amend "The Education Act, 1878."	The whole Act.
13th Jany., 1885.....	An Act to vest a sum of one thousand pounds bequeathed by the late John Henry Leacock for establishing two scholarships at Codrington College, in the Bishop of the Diocese and the Principal of the said College and their successors in office.....	The whole Act.

SESSION OF 1889-90.

SCHEDULE C—*contd.*

Date of Act.	Title of Act.	Extent of Repeal.
1st April, 1885.....	An Act to amend "The Education Act, 1878."	The whole Act.
10th Sept., 1885.....	An Act to reduce the expenditure on Education.	The whole Act.
5th Novr., 1885.....	An Act to authorise the Governing Body of Queen's College to borrow a sum not exceeding five hundred pounds and guaranteeing the payment of any sum so borrowed and the interest thereon.....	The whole Act.
7th Feby., 1887.....	An Act to repeal certain sections and to render permanent certain other sections of "The Education Expenditure Retrenchment Act, 1885."	The whole Act.
8th Feby., 1887.....	An Act to amend "The Queen's College Loan Act, 1885."	The whole Act.
13th April, 1888.....	An Act to amend "The Education Act, 1878."	The whole Act.
1st June, 1889.....	An Act to repeal certain enactments altering and affecting "The Education Act, 1878."	The whole Act.
23rd July, 1889.....	An Act to make provision for the appointment of an Assistant Examiner to The Education Board.	The whole Act.

LAWS OF BARBADOS

CAP. LXVI.

(Assented to 28th October 1890)

BARBADOS.

An Act to consolidate and amend the Acts of this Island relating to prisons.

BE it enacted by the Governor, Council, and Assembly of this Island, and by the authority of the same, as follows:

PRELIMINARY.

Short title.

1. This Act may be cited as "The Prisons Act, 1890."

Interpretation of terms.

2. In this Act, unless the context otherwise requires:

(1) Governor means the Governor, Lieutenant Governor, or other lawful Administrator, for the time being of the Government of this Island.

(2) Prison means any gaol, house of correction or penitentiary, and includes the airing grounds or other grounds or buildings occupied by prison officers for the use of the prisons and contiguous thereto.

(3) Gaoler means governor, keeper, matron, or other chief officer of a prison.

(4) Prisoner means any prisoner charged with or convicted of any criminal offence, or any person ordered to be detained by any Court, Judge, Magistrate, Justice or other lawful authority having power and jurisdiction, under any existing law, or laws to be made, to order imprisonment.

(5) Solitary confinement means confinement in solitude in a prison cell to which no light is admitted.

(6) Separate confinement means confinement in solitude in a prison cell to which light is admitted.

SESSION OF 1889-'90.

PART 1.

Division of prisons and appointment of Officers.

3 The following are declared to be the prisons of this Island;

Glendairy Prison ;
 Rural Prison of District A.
 Rural Prison of District B.
 Rural Prison of District C.
 Rural Prison of District D.

Prisons of the Island may be closed and re-opened by Proclamation.

Provided that it shall be lawful for the Governor from time to time by proclamation to close and to discontinue using as a prison or as prisons, after reasonable time from such proclamation being published shall have elapsed any one or more of the said prisons : Provided also that if the said prisons or any one or more of them shall at any time or times have been closed either by proclamation as aforesaid, or under the provisions of the Imperial Act 1 and 2 Victoria C. 67, entitled "An Act for the better government of prisons in the West Indies," it shall be lawful for the Governor from time to time or at any time by proclamation to re-open any one or more of the said prisons so closed as aforesaid, and to authorise such prison or prisons so re-opened to be used as a prison or prisons for any of the purposes of prisons specified in this Act ; and such prison or prisons so re-opened by proclamation as aforesaid shall by virtue of such proclamation or proclamations be brought within the provisions of this Act.

4. Any person sentenced before or after the passing of this Act to imprisonment with or without hard labour or to penal servitude, or

Any person ordered to be imprisoned or detained and being or becoming

LAWS OF BARBADOS.

ing a leper to be imprisoned at the Lazaretto. to imprisonment for contempt of Court, or in default of sureties, or remanded and being at the date of the sentence or subsequently becoming before his imprisonment expires, a leper, may be imprisoned in the place of confinement provided at the Lazaretto or any other place where lepers are or may be lawfully detained, and his sentence may be carried into effect at such place in all respects as if it had been authorised by and pronounced under the last mentioned Act.

Governor may direct transfer to the Lazaretto of any such leper.

5. The Governor may, by order under his hand, direct the transfer to such place of confinement of any leper now or hereafter imprisoned or confined in any of the prisons of this Island.

Governor empowered to authorise by Proclamation other buildings to be used as Prisons.

6. If at any time any building or buildings may or shall have been constructed, purchased, or otherwise obtained, at the expense of the Colony or otherwise suitable for prison purposes, it shall be lawful for the Governor by proclamation to authorize and cause such building or buildings to be used as a prison or prisons for any of the purposes of prisons specified in this Act; and such building or buildings when so proclaimed as aforesaid shall, together with the yards and outhouses, appertaining thereto, be a prison or prisons within the meaning of, and shall be brought within the provisions of this Act.

Governor-in-Executive Committee to determine specific prison purposes of each prison.

7. It shall be lawful for the Governor-in-Executive Committee from time to time, and as often as is deemed expedient to determine the specific prison purposes for which each of the several prisons of this Island shall be used, and with a view to carrying into effect any such determination, to direct the transfer to any of the said prisons of all or any of the persons undergoing imprison-

SESSION OF 1889' 90.

ment in any other or others of the said prisons, to make such alterations in the duties of the several prison officers or such reduction of the number of the said officers and to make such rules and regulations as may be necessary.

8. Every determination of the Governor-in-Executive Committee and all rules and regulations made under the last preceding section shall be published in the Official Gazette.

Determination of Governor and rules to be published in Official Gazette.

9. Persons committed to prison under any writ or process of any court, notwithstanding such writ or process may specify any particular place of imprisonment may be imprisoned in any prison set apart under the provisions of this Act for the reception of persons undergoing imprisonment similar to that to which such persons were sentenced.

Persons committed may be imprisoned in any prison under this Act.

10. Subject to the provisions of this Act, Glendairy prison shall be the prison of this Island to receive all males of or over the age of fourteen years who may be committed to prison by any Court, Judge, Magistrate, Justice or other lawful authority having power and jurisdiction under any existing law or laws to be made to order imprisonment.

Glendairy prison to receive all males over fourteen years of age.

11. Subject to the provisions of this Act.

(a) The rural prison of District A and the rural prison of District C shall be the prisons of this Island to receive any females who may be committed as aforesaid.

Prisons A and C to be female prisons.

(b) The rural prison of District B or the rural prison of District D shall, as the Governor shall see fit, be declared and used as the prison of this Island for all male

Prisons B, and D to be Juvenile and Auxiliary prisons.

LAWS OF BARBADOS

juveniles under the age of fourteen, who may be committed as aforesaid, while the remaining rural prison shall be used as an auxiliary prison to Glendairy prison. Provided that it shall be lawful for the Governor to order the removal of any juvenile committed as a juvenile prisoner on his attaining the age of fourteen years, should his sentence have not then expired, to Glendairy prison therein to complete it.

Prison Officers to
be appointed by
Governor.

12. It shall be lawful for the Governor to appoint the following prison officers who shall receive annually the salaries hereinafter specified, that is to say :

Governor of Glendairy and District A
Prisons at.....£350

MALE PRISON

Two Chief Warders, each at.....£100
One 1st Class Warder at.....£ 75
Four 2nd Class Warders, each at...£ 60
Fifteen 3rd Class Warders, each at £ 50
Steward at.....£ 80
Schoolmaster at.....£ 75
Hospital Attendant at.....£ 60
Cooper at.....£ 48
Baker at.....£ 40
Carter and Messenger at.....£ 25
Carter and Messenger at.....£ 20

FEMALE PRISON

One Chief Matron at.....£100
One 1st Class Matron at.....£ 60
Two 2nd „ Matrons at£ 50
Four 3rd „ Matrons at£ 40

Gratuities for loss
of office.

13. It shall be lawful for the Governor-in-Executive Committee to award gratuities for their loss of office to any prison officers

SESSION OF 1889-90.

whose services it may be found unnecessary to retain in consequence of any alteration in the purposes for which the several prisons are now used at a rate equal to three years pay.

14. The duties of the prison officers appointed under this Act, shall be as specified in the prison rules now in force, or in any rules and regulations to be made in pursuance of this Act.

Duties of Prison Officers to be specified by Prison Rules.

15. None of the prison officers appointed under this Act with the exception of the Governor or Chief Comptroller of Glendairy prison shall be considered to be attached to any particular prison; and it shall be lawful for the Governor at any time to appoint any one or more of such prison officers (with the exception aforesaid) to any of the rural prisons; and from time to time to transfer any one or more of such prison officers (with the exception aforesaid) from Glendairy prison to any of the rural prisons, from any one of the rural prisons to any other of the rural prisons, or from any of the rural prisons to Glendairy prison; provided that no prison officer so transferred shall, except as provided by any rules or regulations made or to be made in pursuance of this Act, be subjected to any diminution of salary on account of such transfer as aforesaid.

Prison Officers may be transferred from one Prison to another.

16. It shall be lawful for the Governor to appoint an Inspector of prisons for this Island, at a salary of fifty pounds per annum, whose duties shall be as defined from time to time by the Governor-in-Executive Committee.

Inspector of Prisons to be appointed.

17. The Inspector of prisons shall be allowed to use free of rent such place as may be allotted to him as an office; and shall be

Inspector of Prisons to be allowed stationery &c., for use of office.

LAWS OF BARBADOS

furnished with stationery, and other incidental expenses of his office at the public cost.

Prison Chaplain to be appointed. 18. It shall be lawful for the Governor to appoint a clergyman of the Church of England holding a license from the Lord Bishop of Barbados to be chaplain to the several prisons, and the lunatic asylum, at a salary of three hundred pounds per annum.

Chaplain to devote his time to Prisons and not hold benefice with cure of souls or any curacy. 19. Such chaplain shall devote his time and services to the said prisons, and to any other prison or prisons that may hereafter be proclaimed under this Act, and shall not while holding the chaplaincy as aforesaid hold any benefice with cure of souls or any curacy.

Chaplain to Superintend religious instruction &c., of prisoners belonging to Church of England. 20. Such chaplain shall superintend and take part in the tuition and religious instruction of the prisoners confined in the several prisons, provided that no prisoner who may not belong to the Church of England shall be in any way obliged to attend to the administrations of such chaplain, but such prisoner shall be given every facility to obtain the services of the minister of the religious persuasion to which he may belong.

Surgeon to Glendairy Prison to be appointed by Governor. 21. It shall be lawful for the Governor to appoint a surgeon to Glendairy prison at an annual salary of one hundred and fifty pounds whose duties shall be as specified in schedule A of this Act.

PART II.

Maintenance and government of prisons

Governor may order transfer of prisoners from one Prison to another. 22. For the purpose of relieving overcrowding in any particular prison of this Island, or for any other reason that to the Governor shall seem fit, it shall be lawful for the Governor to direct the transfer of

SESSION OF 1889-90.

any prisoner or prisoners from any one prison in this Island to any other prison in this Island, such order of transfer to be issued under the Governor's hand.

23. All rules and regulations made or to be made by the Governor in Council under the authority of the Imperial Statute 1 and 2 Victoria C. 67, entitled "An Act for the better government of the prisons in the West Indies," shall apply to all prisons in this Island.

Rules and regulations under Imperial Statute 1 and 2 Vic. C. 67 to apply to Prisons under this Act.

24. It shall be lawful for the Governor to order any prisoner committed to prison with hard labour to be employed within the prison walls, or upon any public works or roads, or in any other manner, and under such conditions or restrictions as the Governor may direct.

Governor may order Prisoners committed with hard labour to be employed on public works &c.,

25. For the punishment of disorderly conduct, breach of prison discipline, and other like offences committed by any prisoner in this Island, it shall be lawful for the Governor to appoint by commission under his hand and seal, from time to time as he may think fit, any proper person or persons, being a justice or justices of the peace, or police magistrate or magistrates, to be visiting justices of any of the said prisons in this Island, and the visiting justice of Glendairy prison shall be allowed for expenses incurred by him in visiting such prisons the sum of four shillings for each visit, such sum to be paid on warrant of the Governor-in-Executive-Committee. Provided that the amount to be paid for such visits shall not exceed the sum of one pound per month. In case of disorderly conduct breach of prison discipline, or other like offence on the part of any prisoner, either

Visiting Justices of Prisons to be appointed by Governor who may punish for breaches of Prison discipline by ordering solitary confinement or whipping, but all such sentences to be approved of by Governor before carried out.

LAWS OF BARBADOS

while actually in such prison or while being conveyed from one prison to another, or while employed on any road or other legitimate work, or while being taken to or from any such road or work, or while being lawfully conducted to or from any other place, it shall be lawful for the visiting justice or justices of the prison in which such offender may have been ordered to be confined, to hear the complaint against such offender, and to sentence such offender to solitary confinement, subject to the provisions hereinafter mentioned, for any term not exceeding twenty eight days, or if a male to be punished by being once whipped, the stripes at such whipping not to exceed thirty six, and such whipping to be inflicted in accordance with any rule or regulation made, or to be made by the Governor-in-Council in relation thereto; Provided that no such sentence shall be carried into execution until a report of the proceedings and sentence be made to the Governor for his sanction, and the sentence be approved of by him: Provided that nothing herein contained shall prevent the Governor or Chief Comptroller of Glendairy prison, or the gaoler of any other prison, from punishing promptly such offences as can be so punished under any rule or regulation made or to be made by the Governor-in-Council.

Prisoners committing breaches of prison discipline while undergoing solitary confinement may be sentenced to a further period of solitary confinement or

26. Whenever any prisoner shall, while undergoing a sentence of solitary confinement, be charged with any disorderly conduct, breach of prison discipline or other like offence, it shall be lawful for the visiting justice or justices of the prison in which such prisoner is undergoing his sentence of solitary confinement as aforesaid to

SESSION OF 1889-90.

hear the complaint against such prisoner in whipping the same way as if such prisoner were not under punishment, and to sentence him to a further period of solitary confinement, or to be once whipped; Provided that the additional period of solitary confinement, together with the original sentence of solitary confinement shall not amount in all to more than twenty eight days; Provided also that if such prisoner be sentenced to be whipped the number of strokes at such whipping shall not exceed thirty six; Provided also that no sentence under this section shall be carried into execution, until a report of the proceedings and sentence shall have been made to the Governor for his approval, and the sentence approved by the Governor.

27. It shall be lawful for the Governor to modify the sentence passed on a prisoner by any visiting justice or justices under the provisions of this Act, and if such sentence be whipping, to commute such sentence to solitary confinement not exceeding twenty eight days, but subject to the provisions hereinafter mentioned.

Governor may modify sentences pronounced by Visiting Justices or commute whipping to solitary confinement.

28. Whenever any prisoner shall be sentenced to solitary confinement under the provisions of this Act, or whenever any prisoner shall be sentenced by the visiting justice or justices to be whipped, and the Governor shall think proper to commute such sentence to solitary confinement, and there shall happen to be no cells at the prison where such prisoner is confined adapted to solitary confinement, it shall be lawful for the Governor to order the temporary removal of such prisoner from such prison to any other prison in which there shall be such cells, for the purpose of undergoing such sentence,

Where no cells in a prison adapted to solitary confinement prisoner may be removed to another prison to undergo it.

LAWS OF BARBADOS

and to order such prisoner's removal back after the expiration of such sentence, such removals to be as many as may be necessary for the entire completion of such sentence.

29. Whenever any prisoner shall be sentenced to solitary confinement in pursuance of any provisions of this Act, or whenever any prisoner shall be sentenced by a visiting justice or justices to be whipped, and the Governor shall order such sentence to be commuted to solitary confinement, it shall be lawful to order the detention and detentions and removal or removals as the case may be, of such prisoner for the purpose of undergoing such sentence notwithstanding the term of such prisoner's original sentence may have expired.

Prisoner sentenced to solitary confinement may be detained until such sentence be undergone though original sentence may have expired.

30. Whenever any prisoner shall be sentenced to solitary confinement under the authority of this Act or whenever any prisoner shall be sentenced by any visiting justice or justices to be whipped and the Governor shall order such sentence to be commuted to solitary confinement, it shall not be lawful for any prisoner to be kept in solitary confinement for any period longer than seven days at any one time, but when a sentence of solitary confinement for more than seven days shall have been passed, a period of seven days separate confinement shall elapse after a first period of seven days solitary confinement before a second period of seven days solitary confinement and another period of seven days separate confinement shall elapse between a second period of seven days solitary confinement, and a third period of such confinement ; Provided that it shall be lawful for the Governor

No prisoner sentenced to more than seven days solitary confinement to undergo more than seven days at one time but if sentenced to more than seven days to undergo an intermediate period of seven days separate confinement.

SESSION OF 1889-'90.

to order the detention or detentions and removal or removals as the case may be, of such prisoner for the purpose of undergoing the whole term of solitary confinement to which he may have been sentenced notwithstanding the term of his original imprisonment may have expired; Provided that if such prisoner shall have been originally sentenced to hard labour and his original sentence shall have expired, he shall not be kept to hard labour during such times as he may be detained in prison between the terms of any solitary confinement.

31. Such periods of the original term of imprisonment as are passed by any prisoner in punishment consequent on the sentence of a visiting justice, for the offence of persistent malingering or for evading labour by refusing to work or otherwise, shall be recorded in a book to be kept for the purpose by the Inspector of prisons, and such prisoner shall on the expiration of the original term of imprisonment, on the warrant of the Governor of the Colony, be detained in prison for a further period equal in duration to the time passed in punishment as aforesaid, and shall be treated and be subject in every respect to prison rules and discipline as if such further period formed part of the original term of imprisonment.

Prisoners on the expiration of their sentences to be detained for a further period equal to the time spent in punishment for persistently malingering.

32. Any person who shall aid any prisoner in escaping or attempting to escape from any prison in this Island, or who with intent to facilitate the escape of any prisoner, conveys or causes to be conveyed into any prison any article or articles whatsoever shall be guilty of felony and on conviction be sentenced to imprisonment with or with-

Persons convicted of aiding prisoners to escape, to be guilty of felony.

LAWS OF BARBADOS

out hard labour for a term not exceeding two years.

Persons unlawfully conveying spirits &c., to Prisoners liable on conviction before Police Magistrate to three months imprisonment or £30 fine.

83. Any prison officer or other person who shall, except for a lawful purpose, convey or cause to be conveyed into any prison of this Island or shall convey or cause to be conveyed to any prisoner or shall attempt to convey into any such prison or to any such prisoner any spirituous or fermented liquor, such prison officer or other person shall on conviction be sentenced to imprisonment with or without hard labour for a period not exceeding three months, or to pay a penalty not exceeding twenty pounds; and any such prison officer or other person may be apprehended and taken before a police magistrate who shall hear and determine the charge in a summary way, or remand the party charged in such manner as the magistrate may deem necessary, until he shall adjudicate upon the case.

Persons unlawfully conveying to or taking from Prisoners any article contrary to prison rules to be liable on conviction before a Police Magistrate to 3 months imprisonment or £20 fine.

84. Any police officer or other person who shall, except for a lawful purpose bring or cause to be brought into any prison of this Island or thrown into it, or convey or attempt to convey or cause to be conveyed to any prisoners, any tobacco, money, clothing, provisions, letter, paper, book, or any other article not expressly allowed by any prison rule or regulation to be in possession of any prisoner, or shall unlawfully carry away any article from any prison or prisoner, shall on conviction be sentenced to imprisonment with or without hard labour, for a period not exceeding three months or to a penalty not exceeding twenty pounds, and any such offender may be apprehended and taken before a police magistrate who shall hear

SESSION OF 1889-'90.

and determine the charge in a summary way or remand the party charged in such manner as the magistrate may deem necessary until he shall adjudicate upon the case.

35. If any penalty, including costs, inflicted under either of the last two preceding sections of this Act be not paid forthwith, or at such time as the police magistrate inflicting the same may appoint it shall be lawful for such police magistrate to order the person failing to pay the same or any part thereof to be imprisoned with or without hard labour for a term not exceeding three months.

Persons not paying penalties inflicted under sections 27 and 28 liable to imprisonment not exceeding 3 months.

36. Nothing in this Act shall deprive any party from any right of appeal which he may have in virtue of any law to that effect, and when notice of appeal shall be duly given proceedings shall be stayed in the usual manner until such appeal be heard and determined.

Nothing in Act to deprive any person of right of appeal.

37. Any prisoner confined in any prison of this island whose term of imprisonment would, according to such prisoner's sentence, expire on any Lord's day, or on Christmas day, or Good Friday, shall be entitled to be discharged on the day next preceding such Lord's day, Christmas day, or Good Friday, provided that nothing in this section shall be held to interfere with any of the provisions of sections twenty nine and thirty of this Act.

Prisoners whose term expires on any Lord's Day Christmas Day or Good Friday to be released the day previous.

38. It shall be lawful for the Governor from time to time by an order in writing to authorise the Governor or keeper for the time being of Glendairy prison to destroy such warrants of commitment to prison bearing date five years at least from such order as have been duly served and the con-

Governor may authorise destruction of certain warrants.

LAWS OF BARBADOS

tents of which have been recorded in the register kept at the said prison.

Certified copies of such warrants to be receivable in evidence.

39. A certified copy signed by the keeper for the time being of the said prison shall in all courts of law and equity in this Island be receivable in evidence wherever the original warrant, the destruction of which is by this Act authorised, would have been receivable in evidence.

Nothing in Act to interfere with provisions of 1 and 2 Vic. C. 67.

40. Nothing in this Act shall be held to in any way interfere with any of the provisions of the Imperial Statute 1 and 2 Victoria C. 67 entitled "An Act for the better government of prisons in the West Indies."

41. All rules or regulations in force in any prison which may not be inconsistent with the provisions of this Act, shall continue in force until altered or rescinded under the powers of this Act or the said Imperial Statute 1 and 2 Victoria C. 67.

Repeal.

Repeal and Savings.

42. The Acts mentioned in schedule B to this Act annexed are hereby repealed, provided that this repeal shall not affect ;

1. The past operation of the enactments hereby repealed nor anything done or suffered under the enactments hereby repealed ; nor
2. any right, privilege, obligation, or liability, acquired, accrued or incurred under the enactments hereby repealed ; nor
3. any penalty, forfeiture, or punishment incurred in respect of any offence committed against the enactments hereby repealed ; nor
4. any investigation, legal proceeding or

SESSION OF 1889-'90.

remedy in respect of any such right privilege, obligation, liability, penalty, forfeiture, or punishment as aforesaid and any such investigation legal proceeding and remedy may be carried on as if this Act had not passed; nor

5. any enactment in which such enactment has been applied, incorporated or referred to.

SCHEDULE A.

Duties of the Visiting Surgeon at Glendairy prison.

He shall visit the prison daily, and shall note down in a book to be kept for that purpose the hour of his visit and the number of sick he may find in the prison each day, and he shall furnish weekly to the Inspector of prisons, for the information of the Governor a statement of the condition of all sick prisoners confined in the prison.

He shall conform to any rules and regulations to be made by His Excellency the Governor in-Executive Committee in pursuance of this Act so far as such rules and regulations may affect his office of Visiting Surgeon.

LAWS OF BARBADOS

SCHEDULE B.

Date of Act.	Title of Act	Extent of Repeal.
23 December 1875	An Act to provide for the appointment of a Turnkey at District "C" Prison.....	The whole Act.
4 July 1879	An Act to provide for the appointment of five additional Warders for the several prisons in this Island.....	The whole Act.
30 December 1879	An Act to consolidate and amend the laws relating to prisons in this Island.....	The whole Act.
15 August 1885...	An Act to amend "The Prisons Act, 1879".....	The whole Act.
21 May 1887	An Act to amend "The Prisons Act, 1879".....	The whole Act.
30 July 1887.....	An Act to reduce the expenditure in certain departments of the Civil Service of this Island.....	Section 11 and Schedule 'A' Part 2. Chapter of Prisons.
17 January 1888	An Act to authorise the destruction of certain Warrants of Commitment to prison after the same have been duly served and recorded...	The whole Act.
29 November 1888	An Act to make provision from deterring prisoners from persistently malingering.....	The whole Act.

SESSION OF 1889'90.

CAP. LXVII.

(Assented to 28th October 1890.)

BARBADOS.

An Act to continue various expiring laws.

WHEREAS the several Acts mentioned in the columns one and two of the schedule to this Act annexed are limited to expire at the times specified in respect thereof in column three of the said schedule; And Whereas it is expedient to continue such Acts for the times mentioned respectively in column four of the said schedule; Be it therefore enacted by the Governor, Council and Assembly of this Island and by the authority of the same, as follows :

1. This Act may be cited for all purposes as "The Expiring Laws Continuance Act, 1890."

Short title.

2. The Acts mentioned in column one of the schedule to this Act annexed are hereby continued until (and inclusive of) the dates respectively specified in column four of the said schedule; and any enactment amending or affecting the enactments continued by this Act are also in like manner continued.

Acts in Schedule
continued until 31st
Decr. 1891.

LAWS OF BARBADOS.

SCHEDULE.

ORIGINAL ACTS.	AMENDING ACTS.	TIME OF EXPIRATION	CONTINUED UNTIL.
Public Health (19th February 1851)	17th February 1853 16th February 1831 13th April 1888 8th February 1889 21st June 1878 29th December 1879	31st December 1890	31st December 1891
Highways (24th February 1864)	30th August 1880 16th February 1881 16th October 1885 22nd May 1889 25th October 1890 14th June 1890	31st December 1890	31st December 1891
Fire Brigade (24th March 1874)	...	31st December 1890	31st December 1891
The Trade Act, 1878, sections 4 & 91...	...	31st December 1890	31st December 1891
Poor Relief Act, 1880 ...	8th February 1887...	31st December 1890	31st December 1891
Emigration Allowance Act, 1881	...	31st December 1890	31st December 1891
Assistant Court of Appeal Act, 1883	10th November 1885 7th February 1887 24th March 1889 28th June 1889	31st December 1890	31st December 1891
Botanical Station (26th June 1886)	...	31st December 1890	31st December 1891
Rum Duty Act, 1887 ...	25th April 1888 1st June 1889	31st December 1890	31st December 1891
Agricultural Aids Act, 1887	...	31st December 1890	31st December 1891
Customs Tariff Act, 1889	...	31st December 1890	31st December 1891
Police Act, 1890	...	31st December 1890	31st December 1891

SESSION OF 1889' 90.

CAP. LXVIII.

(Assented to 28th October 1890,)

BARBADOS.

An Act to consolidate the Acts relating to the public market of Bridgetown, to butchers, and to the slaughtering of animals for butchers' meat.

BE it enacted by the Governor, Council, and Assembly of this Island, and by the authority of the same, as follows :

1. This Act may be cited as "The Market and Butchers' Act, 1890."

Short title.

2. In this Act each of the following terms shall, except there is something in the subject spoken of or in the context inconsistent with such meaning, have the meaning hereafter assigned to it, that is to say ;

Definitions.

"Animal" shall mean any bull, cow, calf, ox, ram, ewe, wether, lamb, goat, kid or swine.

"Butcher's meat" shall mean the meat of any animal slaughtered for sale.

3. The Inspector of Weights and Measures shall be, and he is hereby declared to be the Clerk of the Market, and he is hereby enjoined and required to see that proper order and decorum be at all times observed in the said market, and the rules and regulations for the government of the same duly attended to ; and before entering upon the office of Inspector of Weights and Measures and Clerk of the Market, he shall appear before the Governor-in-Executive Committee and enter into a bond to Her Majesty the Queen her heirs and successors, with two sufficient sureties to be approved of by the Governor-in-Executive-Committee, him-

Duties of Inspector of Weights &c., who is to be also Clerk of the Market.

Bond.

LAWS OF BARBADOS

self in two hundred pounds, and each of his sureties in one hundred pounds, for the faithful discharge of his office.

Clerk of the Market &c., to be appointed by the Governor.

4. The Clerk of the Market and the Inspector of Weights and Measures shall be appointed from time to time by the Governor, as a vacancy shall occur in the office.

Salary.

5. The Clerk of the Market and the Inspector of Weights and Measures shall receive a salary of two hundred pounds per annum, and be paid from the public treasury in equal monthly sums on the warrant of the Governor-in-Executive Committee.

Appointment and salaries of keepers of the Market.

6. For the purpose of maintaining the good government of the public market the Executive Committee may employ such keepers not at any time exceeding three in number at such salaries not exceeding twenty five pounds each per annum as they shall think fit. The salary of any such keeper shall be paid monthly from the public treasury on the warrant of the Governor-in-Executive Committee. Provided that in any rules for the guidance of such keepers no power shall be conferred upon them incompatible with the powers exercised by constables at common law or by any Act or Statute in force in this Island.

On a vacancy occurring the office of one keeper to cease.

7. The office of one of the market keepers shall, when next it becomes vacant, cease to exist. The salary attached to each of the two remaining offices shall (so far as future holders thereof are concerned) be the sum of twenty pounds instead of the sum of twenty five pounds.

Salaries of others on such vacancy occurring.

Hours of opening and closing the Market how fixed.

8. The Executive Committee may from time to time fix the hours for the opening and closing of the public market. Such hours shall be approved by the Governor-in-

SESSION OF 1889-'90.

Executive Committee and due notice thereof shall be given in the Official Gazette.

9. All expenses from time to time incurred in the repair and improvement of the public market shall be borne and paid from the public treasury. Payment of certain expenses of the Market.

10. The Executive Committee shall from time to time inspect and examine the buildings and premises of the said public market, and have all necessary repairs made thereto and all requisite articles and things duly supplied and furnished for the use of the said public market. Executive Committee to inspect &c., buildings &c.,

11. No person shall be allowed to buy up and re-sell in the said public market any articles or things whatsoever brought into the said market for sale, unless such person be furnished with the license of a huckster from the Treasurer of the Island, for which license the sum of four shillings and twopence sterling shall be paid into the public treasury by the person obtaining the same. Provided always that it shall not be lawful for any person under any such license as aforesaid, to buy and sell in any other place than in the said public market. And provided also that it shall not be lawful for any person having such license as aforesaid to purchase any articles or things in the said public market for the purpose of revending the same until after the hour of three o'clock of any day; and if any person shall buy and resell any article or thing, in the said market without such license as aforesaid, or shall otherwise offend against any of the other provisions of this section he shall be liable to a penalty not exceeding ten shillings. Nobody to buy and re-sell in the market without a huckster's license for this special purpose nor until after 3 o'clock.

12. All persons who now hold or shall hereafter hold a market in the city of Bridgetown. Penalty for holding a market in Bridgetown.

LAWS OF BARBADOS

town, shall be subject to a penalty of five pounds for each day any such market shall be holden.

Penalty for exposing goods for sale in any market in Bridgetown except Public Market.

13. Any person exposing for sale goods in any market in the city of Bridgetown, except the public market, shall for each offence, be liable to a penalty not exceeding thirty shillings.

Penalty for exposing goods for sale on pavements &c.,

14. Any person sitting outside the door of any house, or on the pavements and foot-paths in any street, lane, or place within the city exposing goods for sale, shall for every such offence be liable to a penalty not exceeding thirty shillings.

Meat, fish, fruit &c., not to be sold in town without a license.

15. It shall not be lawful to expose for sale in any public street, lane, or alley in the city of Bridgetown, any fish, poultry, or other live stock, roots, grain, vegetables, or fruit of any kind whatsoever, under a penalty not exceeding thirty shillings sterling for every such offence, Provided always that nothing herein contained shall be construed to prevent any person or persons from carrying any such articles for sale from house to house within the said city, or disposing of the same in any house, agreeably to the laws now or hereafter to be in force relating to hawkers and intinerant vendors.

Unwholesome fish how to be dealt with.

16. If any tainted or unwholesome fish shall be offered for sale in the said public market, it shall be the duty of the said Clerk of the Market or his deputy to seize and have the same either burnt or taken to sea and sunk: and if any tainted or unwholesome fish shall be offered for sale in any other place within the limits of Bridgetown, or within half a mile of the said limits, it shall be the duty of any police officer to seize and take the same to the said

SESSION OF 1889' 90.

Clerk of the Market or his lawful deputy, to be dealt with as herein directed ; and if any question shall arise whether the fish so seized is unwholesome or unfit for use, the said Clerk of the Market or his deputy shall call together any three disinterested and competent persons to examine the fish so seized, and to give their opinions thereon ; and the said Clerk of the Market or his deputy shall act therein according to the decision of any two of the said three persons, whose decision shall be final.

17. The slaughter-house erected in the sea aback of the market premises shall be used as the slaughter-house of the public market of Bridgetown, and the provisions of this Act, and the rules and regulations in force hereunder, and the tolls fixed for the killing and slaughtering of animals shall apply to the same. Rules and regulations applicable to the slaughter house.

18. In future cases of necessity the Governor-in-Executive Committee may at any time take premises on rent for the purposes of a temporary slaughter-house or temporary public market. Sanctions temporary arrangements in future, if necessary.

19. The provisions of this Act and the rules and regulations already in force under any of the Acts hereby repealed or that may hereafter be made under the authority of this Act shall apply to the slaughter-house mentioned in section nineteen of this Act, also to any other premises which may at any time hereafter be taken on rent and held by the Executive Committee as a temporary slaughter-house or a temporary public Market ; but butchers using the slaughter house so held on rent as aforesaid shall be exempt from the payment of tolls in respect thereof. Former rules and regulations to apply to temporary slaughter houses.

LAWS OF BARBADOS

All such slaughter houses to be deemed public places.

20. The public market and all other premises which may at any time be held under the authority of the Executive Committee as a slaughter-house or public market shall be deemed and taken to be "public places" within the provisions of the law for punishing offences committed in "public places," but nevertheless without prejudice to the provisions of this Act.

Butchers and sale of butchers' meat.

Butchers to produce certificate in writing and obtain annual licenses on payment of 32 shillings.

21. Every person who shall be desirous of exercising the trade of a butcher, by buying and killing animals for sale, shall produce to the Treasurer of this Island, for the time being, a certificate in writing, signed either by some Justice of the Peace, Clergyman, or Churchwarden of the parish to which he belongs, and has a settlement in, that he is of fair reputation, and a fit person to carry on the trade of butcher, and that he has never, to their knowledge, been convicted of any felony or misdemeanor in any Court in this Island, and if the said Treasurer shall be satisfied that such written statement or declaration bears the proper signature of such Justice of the Peace, Clergyman, or Churchwarden, by whom the same purports to be signed, he shall give to the person in whose favour the same may have been made a printed license, signed and subscribed and numbered by himself as Treasurer, authorizing such person to carry on and exercise the trade of butcher in any part of the Island, for one whole year from the date thereof, upon his paying into the public treasury for such license the sum of one pound twelve shillings sterling.

SESSION OF 1889'90.

22. If any person at the time of applying to the said Treasurer for a license shall represent to the said Treasurer that it is his intention to kill and slaughter animals in the said public market only, then and in such case the said Treasurer shall demand and receive from such person the sum of four shillings and twopence sterling money of Great Britain, and no more, for such license.

License for butchers who use the market only.

23. It shall not be lawful for any person under the authority of a butchers' market license, for which he has paid the sum of four shillings and twopence sterling only, to kill and slaughter animals at any other place within this Island than at the said slaughter house of the said public market, under a penalty of five pounds sterling money for each offence. And the Treasurer of the Island at the time of issuing butchers' licenses under the authority and agreeably to the provisions of this present Act, shall set forth in such licenses the sums of money respectively paid for the same, and the force and effect thereof, pursuant to the terms of this Act, and the said Treasurer shall furnish to the Clerk of the Market a list of the names of all persons to whom licenses shall be issued as aforesaid, and the nature thereof.

Penalty on butchers with a market license slaughtering elsewhere than in the market.

List of licenses to be furnished Clerk of the Market.

24. Any person so exercising the trade of butcher, shall at all times, when thereto required by any police officer, constable, Justice of the Peace, or parish officer, or the master or mistress of any house he shall call at produce and exhibit his license, and, in default thereof, he shall, be liable to a penalty of, not exceeding one pound.

Butcher to produce license if required by police officer &c., under penalty not exceeding £1.

25. If any person shall exercise the trade of butcher, as aforesaid without having ob-

Penalty for exercising trade of

LAWS OF BARBADOS

butcher without li- tained a license for that purpose, in manner
cense. aforesaid such person shall for every such

offence, be liable to a penalty not exceeding five pounds.

Forging license or 26. If any person shall forge any li-
certificate &c., pen- cense to act as butcher, or certificate requir-
alty for. ed by this Act, or shall wilfully and knowing-
ly make any false statement in such license, or
certificate, such person shall, on conviction
before any Police Magistrate be liable to a
penalty not exceeding ten pounds or to im-
prisonment with or without hard labour for
a period not exceeding three months, or
such person may be indicted for the same
at the next Court of Grand Sessions, then
and there to be tried, and, upon conviction
thereof, to be punished at the discretion of
the said Court.

Penalty for ex- 27. If any person shall offer or expose
posing for sale un- for sale any tainted or unwholesome meat,
wholesome meat or or any meat inflated in the preparation in
meat inflated ex- any other way than by means of a bellows,
cept by bellows. such person shall, on conviction thereof be-
fore any Police Magistrate forfeit the said
meat, and also be liable to a penalty not ex-
ceeding one pound and if the offender be a
licensed butcher, he shall, in addition
to such penalty, be deprived of his license
by order of the committing Magistrate.

Butchers to slaugh- 28. No person who exercises the calling of
ter in Bridgetown killing, or of buying and killing, or causing
or within one mile to be killed, animals for sale, shall
of its limits only at slaughter any animal at any place within
public slaughter the city of Bridgetown or within one mile
house or a licensed from the limits thereof other than in the
slaughter house. slaughter house of the public market, or in
a place licensed for the slaughtering of an-
imals as hereinafter provided.

SESSION OF 1889-90.

29. Within the city of Bridgetown, and within one mile from the limits thereof, no person shall expose for sale, and no person who exercises the calling of selling butchers' meat, shall sell butchers' meat obtained from any animal slaughtered at any place other than in the slaughter house of the public market, or in a place licensed for the slaughtering of animals as hereinafter provided.

Meat sold by butchers within above limits to be obtained only from animals slaughtered at places above specified.

30. Within the city of Bridgetown, and within one mile from the limits thereof, no person shall expose for sale, and no person who exercises the calling of selling butchers' meat shall sell butchers' meat save in the public market, or in a place licensed for the sale of butchers' meat, as hereinafter provided.

Butchers to sell their meat within above limits only at the Public Market or a licensed place of sale.

31. All animals slaughtered at the slaughter house of the public market or at any licensed slaughter house shall be slaughtered and dressed in the presence of an Inspector appointed under this Act.

Inspector to be present when animals slaughtered and dressed.

32. Every person who infringes the provisions of either of the last four preceding sections of this Act shall for each offence be liable to a penalty not exceeding ten pounds.

Penal section.

33. Any person may obtain from the Governor-in-Executive Committee a license or the renewal of a license to use any premises in the city of Bridgetown or within one mile from the limits thereof for the sale of butchers' meat on complying with the following conditions;

License to use premises for sale of butchers' meat how obtained.

(1) on paying into the public treasury the sum of twenty pounds.

LAWS OF BARBADOS.

(2) on forwarding to the Governor-in-Executive Committee (a) certificate in writing signed by two Justices of the Peace that the applicant is known to them, and is of good character and repute, and is, in their opinion, a fit and proper person to have a license, and also (b) a receipt from the Colonial Treasurer for the sum paid in by him.

(3.) on satisfying the Governor-in-Executive Committee, that the premises to be used as a place for the sale of butchers' meat are suitable for that purpose.

License to use premises as a slaughter house how obtained.

34. Any person may obtain from the Governor-in-Executive Committee a license or the renewal of a license to use any premises in the city of Bridgetown or within two miles from the limits thereof for the slaughter of animals for butchers' meat on complying with the following conditions ;

(1) on paying into the public treasury the sum of fifty pounds.

(2) on forwarding to the Governor-in-Executive Committee (a) a certificate in writing signed by two Justices of the Peace, that the applicant is known to them, and is of good character and repute, and is, in their opinion, a fit and proper person to have a license, and also (b) a receipt from the Colonial Treasurer for the sum paid in by him.

(3) on satisfying the Governor-in-Executive Committee, that the premises to be used as a place for the slaughter of animals for butchers' meat are suitable for that purpose.

Duration of licenses.

35. Every license or renewed license granted under the last two preceding sections shall continue in force up to (and inclusive of) the thirty first day of December in the year in which it is granted, and shall

SESSION OF 1889-'90.

authorise the person named therein to use the premises therein described as a place for the sale of butchers' meat or for the slaughter of animals for such meat.

36. The Governor-in-Executive Committee shall from time to time appoint, as there shall be occasion to carry into effect the provisions of this Act, an Inspector, so far as concerns the public market, at a salary of not exceeding one hundred and fifty pounds per annum, and a Sub-Inspector for each licensed slaughter-house at a salary of not exceeding fifty pounds per annum, to be severally paid monthly from the public treasury on the warrant of the Governor-in-Executive Committee; provided that such Inspectors shall be Veterinary Surgeons or other persons equally qualified to inspect meat.

Inspector to be appointed for the public market and a sub-Inspector for each licensed slaughter house.

37. The Governor-in-Executive Committee may expend a sum not exceeding three hundred pounds in the erection of cattle sheds and making such other alterations and additions at the public market as may be necessary.

Erection of cattle sheds &c., in Market.

38. The Governor-in-Executive Committee shall have the premises for which a license is asked inspected by an Inspector so as to ascertain whether such premises are suitable for use as a place for the sale of butchers' meat or for the slaughter of animals for such meat.

Premises for which a license is asked to be inspected by Inspector.

39. It shall be the duty of the Inspectors to inspect (1) all animals slaughtered in the public market or in any place duly licensed for the purpose before they are slaughtered and also all places licensed under this Act for the sale of butchers' meat; (2) all butchers' meat obtained from such animals

Duties of Inspectors.

LAWS OF BARBADOS

before it is sold or exposed for sale, and the other portions of the animals from which it is obtained, so as to ascertain whether such butchers' meat is fit for human food ; (3) to pay surprise visits to any place where butchers' meat is sold or exposed for sale with a view to discovering whether the provisions of this Act are being complied with—such Inspectors being hereby authorised to enter and inspect for that purpose any such place ; and (4) to prosecute all persons who, from their own knowledge or from information received, they reasonably suspect of being guilty of any breach of this Act.

Butchers' meat
deemed unfit for
human food how
dealt with.

40, If any butchers' meat on such inspection as aforesaid is in the opinion of the Inspector unfit for human food, he shall seize the same and immediately give notice of such seizure to the owner of the meat or his agent and at the expiration of one hour after such notice if no question shall have been raised by such owner or his agent whether the meat so seized is unfit for human food, cause it to be destroyed or taken to sea and sunk ; and if any question shall arise whether the meat so seized is unfit for human food, the Inspector shall call together three disinterested and competent persons to examine the meat so seized and to give their opinions thereon, and shall act in accordance with the decision of any two of the three persons whose decision shall be final.

Enquiry as to its
state.

Expenses of such
enquiry.

41, The expenses of such enquiry shall, if the decision is adverse to the owner of the meat be paid by such owner and shall be recovered from him in a summary manner before a Police Magistrate on the complaint of

SESSION OF 1889-'90.

the Inspector and paid into the public treasury, provided always such expenses shall not be paid by such owner if the competent and disinterested persons as aforesaid shall certify that the question as to the fitness of the meat for human food was not unreasonably or vexatiously raised.

42. The Governor-in-Executive Committee shall have power, as often as may be necessary, to make alter or revoke rules and regulations for the good government of the public market of all licensed slaughter-houses and licensed places for the sale of butchers' meat; for carrying out the provisions of this Act; and for the transit of butchers' meat in the City of Bridgetown and one mile from the limits thereof; and such rules may provide for the forfeiture and disposal of butchers' meat dealt with contrary to the provisions of this Act or of the rules.

Rules and regulations to be made by Governor in Executive Committee.

43. All rules made by the Governor-in-Executive Committee under the provisions of the last preceding section shall be published three times in the Official Gazette, and shall then have the force and effect of law.

Rules to be published in Official Gazette.

44. Any person infringing the provisions of any rule made under the provisions of this Act shall be liable to a penalty not exceeding ten pounds.

Penalty for infringement of a rule.

45. Any offence under and any penalty imposed by this Act may be respectively prosecuted and recovered in a summary manner before any Police Magistrate on the complaint of the Clerk of the Market or an Inspector appointed under this Act.

Prosecution of offences.

46. One third of every penalty recovered under this Act shall be paid to the person,

Disposal of penalties.

LAWS OF BARBADOS

not being the Clerk of the Market or Inspector, on whose information the offender was convicted, and one other third to the Clerk of the Market or the Inspector, on whose prosecution such offender was convicted, and the remaining one third shall be paid into the public treasury to the credit of the general revenue.

Onus probandi on prosecution under section 32 lies on accused.

47. In any prosecution for any offence under section thirty two of this Act the onus of proving the butchers' meat sold or exposed for sale was obtained from an animal slaughtered at the slaughter-house of the public market, or at a licensed slaughter house shall lie on the accused.

Costs of prosecutions by Inspectors.

48. The Police Magistrates shall issue all summonses, writs or other necessary legal documents required by the Clerk of the Market or an Inspector in discharging his duties under this Act free of all cost or charge to him, and costs shall not be imposed on the Clerk of the Market or the Inspector prosecuting complaints under this Act unless such complaints be dismissed and are deemed by the Court to be frivolous and vexatious,

Persons may without license kill and sell in any place animals reared by themselves but may not expose for sale the meat within Bridgetown &c.,

49. Nothing in this Act shall prevent the slaughter at any place in the City of Bridgetown, or within one mile from the limits thereof other than the public market, or a licensed slaughter house by any person without a license of any animal reared by himself, and the sale of the meat of such animal, provided that such meat shall not be exposed for sale in the public market, or at any place in the City of Bridgetown or within one mile from the limits thereof.

Table of dues on slaughtering or sell-

50. All persons who shall slaughter in the said public market, or shall sell therein

SESSION OF 1889-'90.

any butchers' meat, fresh fish, poultry, roots, ing in the market. vegetables, fruit or other articles or things, shall pay to the Clerk of the Market the rates and tolls set forth in schedule A to this Act annexed; Provided always, that it shall be lawful for the Executive Committee, from time to time, to alter, or annul the said rates and tolls, or any or all of them, and such alteration or annulment shall take effect at the end of six weeks next after the publication thereof in the Official Gazette of this Island.

51. The rents due and to become due for the separate rooms at the public market set apart for the sale of goods at the rate fixed and to be fixed by the Executive Committee and also for any other rooms which may hereafter be set apart by the said Committee for the purpose aforesaid shall be paid to the Clerk of the Market for the public uses of the Island. And the said Clerk of the Market shall have the same remedies for recovery of such rents as appertain to any landlord to recover rent from his tenants.

Rents due for the separate rooms at the public market how fixed &c.,

Recovery of same.

Repeal.

52. The Acts mentioned in schedule B, to this Act annexed are hereby repealed; provided that such repeal shall not affect;

Repeal and Savings.

1. the past operation of the enactments hereby repealed nor any thing done or suffered under the enactments hereby repealed; nor
2. any right, privilege, obligation or liability acquired, accrued, or incurred under the enactments hereby repealed; nor

LAWS OF BARBADOS

3. any penalty, forfeiture, or punishment incurred in respect of any offence committed against the enactments hereby repealed; nor
4. any investigation, legal proceeding or remedy in respect of such right, privilege, obligation, liability, penalty, forfeiture, or punishment as aforesaid, and any such investigation, legal proceeding and remedy may be carried on as if this Act had not passed; nor
5. any enactments in which such enactment have been applied, incorporated or referred to.

SCHEDULE A.

TOLLS TO BE TAKEN AND RECEIVED AT THE
PUBLIC MARKET PLACE.

Killing and slaughtering animals in the slaughter-house, and for selling the meat thereof within the market :—

	S	D
For each head of horned cattle...	1	0
For each calf, sheep, goat or hog	0	3
Fresh fish, poultry, roots, vegetables, fruit, or other articles or other things brought into the market for sale :—		
For each basket or other package if brought in by one person only	0	1½
If brought in by more than one person, for each person ...	0	1½
If brought in by a waggon...	1	0
If brought in by a cart drawn by cattle horses or mules ...	0	8
If by a donkey cart ...	0	3

SESSION OF 1889-90.

SCHEDULE B.

Date of Act.	Title of Act.	Extent of Repeal
23rd November 1836	An Act to regulate the trade and business of butchers and to check and prevent as much as possible the stealing of stock.....	The whole Act
20th November 1848	An Act to consolidate and amend the several laws of this Island relating to the market of Bridgetown.....	The whole Act
22nd December 1852	An Act to provide for the erection of a new slaughter house and for other purposes in relation to the public market of Bridgetown.....	The whole Act
24th December 1857	An Act relating to the public market of Bridgetown.....	The whole Act
11th September 1863	An Act to provide a summary remedy for the prevention of persons holding markets in the City of Bridgetown.....	The whole Act
16th February 1881	An Act to amend in certain respects the Acts relating to the public market in the City of Bridgetown.....	Sections two to six inclusive and section eight.
25th April 1888.....	An Act to amend the law relating to the slaughtering of animals for butchers' meat.....	The whole Act
1st June 1889.....	An Act to amend "The Slaughtering of Animals Act, 1888."	The whole Act

LAWS OF BARBADOS

CAP. LXIX.

(Assented to 28th October 1890.)

BARBADOS.

An Act to grant a sum of money out of the public treasury and to appropriate the same for the service of the year ending the thirty first day of December one thousand eight hundred and ninety one.

WHEREAS it is deemed expedient to grant the sum of forty six thousand three hundred and thirty four pounds twelve shillings and ten pence out of the public treasury for making good the supply granted for the service of the year ending on the thirty first day of December one thousand eight hundred and ninety one, and to appropriate the said sum in the manner hereinafter mentioned; Be it therefore enacted by the Governor, Council and Assembly of this Island, and by the authority of the same, as follows;

Short title.

1. This Act may be cited for all purposes as "The Appropriation Act, 1891."

Grant of £46,334
12 10 out of the
public treasury.

2. The Colonial Treasurer for the time being may issue out of the public treasury on the warrant of the Governor-in-Executive Committee and apply for making good the supply granted for the service of the year ending the thirty first day of December one thousand eight hundred and ninety one, the sum of forty six thousand three hundred and thirty four pounds twelve shillings and ten pence.

Date on which
grant is to take
effect.

3. The sum granted by this Act shall be held to be granted on the first day of January one thousand eight hundred and ninety one.

SESSION OF 1889'90.

4. The sum granted by this Act out of the public treasury for making good the supply granted for the purpose aforesaid is appropriated and shall be deemed to be appropriated as from the first day of January one thousand eight hundred and ninety one for the purposes and services expressed in the schedule annexed hereto.

5. The schedule annexed hereto shall be deemed to be part of this Act in the same manner as if it had been contained in the body of the Act.

ABSTRACT

Of the Schedule to which this Act refers.

Appropriation of Grants.

	£	s.	d.	£	s.	d.
Establishments.....	...			8,200	0	0
Exclusive of Establishments—						
Head 1—Civil.....	2,054	5	6			
Head 2—Legislative....	78	15	0			
Head 3—Judicial.....	195	0	0			
Head 4—Police.....	6,099	10	0			
Head 5—Harbor Police	335	0	0			
Head 6—Prisons.....	4,726	0	0			
Head 8—Education.....	13,685	4	0			
Head 9—Chemistry and Agricultural Science....	109	5	0			
Head 10—Public Library	10	0	0			
Head 11—Medical.....	6,423	13	4			
Head 14—Drawbacks....	40	0	0			
Head 15—Works and Buildings.....	7,413	0	0			
Head 18—Miscellaneous.	1,915	0	0			
Head 19—Census.....	50	0	0			
Total Exclusive of Es- tablishments.....	...			43,134	12	10
Grand Total.....	...			46,834	12	10

LAWS OF BARBADOS

SCHEDULE...PART 1.

Establishments.

Schedule of sums granted to defray the several charges on account of Establishments herein particularly mentioned which will come, in course of payment, during the year ending on the thirty first day of December 1891.

Service.	Sums not exceeding.					
	£	s.	d.	£	s.	d.
HEAD 2—B.						
For salaries of Officers of the Assembly .....	...			750	0	0
HEAD 4.						
For salaries of Medical Officers of the Police...	...			125	0	0
HEAD 6.						
Additional Salary to Inspector of Prisons.....	50	0	0	.		
For the salaries of Officers of the Prison Department.....	520	0	0	570	0	0
HEAD 9.						
Chemistry and Agricultural Science, for Head of Botanical Station and Clerical Assistance.....	...			200	0	0
HEAD 11.						
C. For salaries and wages of members of the Staff of the Lunatic Asylum, and the branch Asylum at District "B" other than the Medical Superintendent	1,250	0	0	...		
D. For salaries and wages of the members of the Staff of the Lazaretto, other than the Surgeon, Superintendent and Chaplain	205	0	0	...		
E. Inspector of Imported animals,	100	0	0	...		
Total Head 11.....	...			1,555	0	0
Total Establishments.....	...			3,200	0	0

SESSION OF 1889'-90.

SCHEDULE PART II.

Exclusive of Establishments.

Schedule of the sums granted to defray the several charges
Exclusive of Establishments, herein particularly men-
tioned, which will come, in course of payment, during
the year ending on the thirty first day of December, 1891,
namely,

Service.	Sums not exceeding.					
	£	s.	d.	£	s.	d.
HEAD 1.—CIVIL						
a. For supply of Furni- niture for Government House £100, stationery and incidentals for Gov- ernor's Office £50.....	150	0	0			
b. Clerical Assistance in record branch of Colo- nial Secretary's Office...	150	0	0			
d. For Furniture Tele- phone and Miscellan- neous Expenses of the Auditor General's Office	9	19	8			
e. For wages of messenger £20, Telephone £6 5 and Miscellaneous of Public Works Office £9 15	36	0	0			
f. Harbour Master, Tele- phone.....	6	5	0			
Powder Hulk, Water and Light £17, Main- tenance £130.....	147	0	0			

LAWS OF BARBADOS.

Service.	Sums not exceeding.					
	£	s.	d.	£	s.	d.
g. For special services, wages furniture, and Miscellaneous of the Customs Department...	744	5	10			
j. For wages, gas, water Microscope and contingencies at the Market	229	10	0			
k. For clothing, apparatus, horses, and Miscellaneous of the Fire Brigade Department...	546	5	0			
o. For Instruments apparatus &c., for the Inland Revenue Department...	35	0	0			
Total Head 1. Civil.	...			2,054	5	6
HEAD 2—LEGISLATIVE.						
(a.b.c.) For Miscellaneous of the Legislative Departments including refreshments.....	...			78	15	0
HEAD 3—JUDICIAL.						
For Miscellaneous of Judicial Department } £40 clerical assistance } for Bridgetown Magistrates £100..... }	140	0	0			
Books £50 Interpreter £5	55	0	0			
				195	0	0

SESSION OF 1889-'90.

Service.	Sums not exceeding.		
	£	s.	d.
HEAD 4--POLICE.			
For the support of the Police Department.....	...	6,099	10 0
HEAD 5--HARBOUR POLICE.			
For the support of the Harbour Police Department.....	...	335	0 0
HEAD 6--PRISONS.			
For the support of the Prison Department.....	3,556	0	0
For the support of Dodds Reformatory.....	1,170	0	0
HEAD 8--EDUCATION.			
To defray the expenditure to be incurred under the Education Act, 1878...	...	13,685	4 0
HEAD 9--CHEMISTRY AND AGRICULTURAL SCIENCE.			
For chemicals, water, gas, repairs and incidental expenses for this Department.....	109	5	0

LAWS OF BARBADOS

Service.	Sums not exceeding.					
	£	s.	d.	£	s.	d.
HEAD 10—PUBLIC LIBRARY.						
For the Miscellaneous expenditure of the Public Library Department...	...			10	0	0
HEAD 11.—MEDICAL.						
<i>c</i> Lunatic Asylum— For the support of the Lunatic Asylum.....	3,400	0	0			
<i>d.</i> Lazaretto— For the support of the Lazaretto.....	2,513	0	0			
<i>e.</i> Board of Health— Wages, Miscellaneous &c., £95 13 4 Repairs..... 50 0 0 Erection and upkeep of Animal Quarantine Station.....£250 0 0 Guarding vessels in Quarantine.....£100 0 0	495	13	4			
<i>f.</i> Poor Law Board— For Messenger, furniture and Miscellaneous.....	15	0	0			
Total Head 11—Medical	...			6,423	13	4

SESSION OF 1889'90.

Service.	Sums not exceeding.					
	£	s.	d.	£	s.	d.
HEAD 14—DRAWBACKS						
For payment to the Military Departments in lieu of drawback at the rate of £40 a year.....	...			40	0	0
HEAD 15—WORKS AND BUILDINGS.						
A. For wages and contingencies of the Public Buildings.....	...			75	0	0
B. For repairs and alterations, namely :—						
1. Public Buildings....	100	0	0			
1. <i>h.</i> Post Office.....	5	0	0			
1. <i>a.</i> Government House	150	0	0			
1. <i>g.</i> Customs and Petroleum Warehouse.....	25	0	0			
1. <i>j.</i> Market.....	125	0	0			
1. <i>m.</i> Signal Stations and Inland Telegraph.....	60	0	0			
4. Police Stations.....	350	0	0			
6. Prisons & Town Hall	150	0	0			

LAWS OF BARBADOS

Service.	Sums not exceeding.					
	£	s.	d.	£	s.	d.
Reformatory.....	50	0	0			
7. Bishop's Court.....	10	0	0			
10. c. Lunatic Asylum...	300	0	0			
10. d. Lazaretto.....	150	0	0			
Miscellaneous.....	100	0	0			
a. Swing Bridge.....	30	0	0			
b. Buoys.....	100	0	0			
c. Cranes, repairs and Painting.....	15	0	0			
d. Fountain Garden....	10	0	0			
Codrington House...	15	0	0			
f. Wharf walls	200	0	0			
g. Repairs to Pumps....	100	0	0			
Dredge.....	50	0	0			
Repairs to Montefiore Fountain, &c.....	23	0	0	2,118	0	0
C. New Works—						
New Lantern Needham's Point.....	10	0	0			
Dredging.....	500	0	0			
Quarantine Hospital.....	1,100	0	0			
Wharf Walls.....	2,000	0	0			
Powder Magazine.....	1,200	0	0			
Total New Works.....				4,810	0	0

SESSION OF 1889-'90.

Service.	Sums not exceeding.					
	£	s.	d.	£	s.	d.
D. Incidental Expenses...						
For salary of Storekeeper and Assistant in Office of Superintendent of Public Works.....	80	0	0			
For upkeep of Fountain and St. Mary's Gardens	30	0	0			
For Lighting the Wharf	100	0	0			
Foreman £70, Travelling expenses £15.....	85	0	0			
Labor Gang.....	100	0	0			
Instruments for Public Works Office.....	15	0	0			
Total Incidental Ex- penses.....	...			410	0	0
Total Head 15— Works and Buildings.....				7,413	0	0
HEAD 18—MISCEL- LANEOUS.						
For cost of Parish Regis- ters and indexing and binding the same.....	100	0	0			
For cost of Telegrams sent on the Public Service...	50	0	0			
For advertising Liquor Licenses.....	20	0	0			
For Government Binding and Printing.....	1,200	0	0			

LAWS OF BARBADOS.

Service.	Sums not exceeding.					
	£	s.	d.	£	s.	d.
For Stationery for the use of the Public Departments.....	225	0	0			
This amount to be placed at the Governor's disposal for the service of the Colony.....	100	0	0			
Expenses incident to working the Rum Act, 1887...	20	0	0			
Expenses incident to working the Adulteration Act 1888.....	200	0	0			
Total Head 18—Miscellaneous.....	...			1,915	0	0
HEAD 19—CENSUS.						
Printing and Miscellaneous				50	0	0
Total Exclusive of Establishments.....	...			43,134	12	10



COLONIAL OFFICE
LIBRARY